# JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS

69A Hagood Avenue
Charleston, South Carolina 29403-5107

and the

S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

1362 McMillan Avenue, Suite 400

Charleston, South Carolina 29405

REGULATORY DIVISION Refer to: P/N #2006-1W-028-C

3 MARCH 2006

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

CORE COMMUNITIES OF SC, LLC c/o NEWKIRK ENVIRONMENTAL, INC. POST OFFICE BOX 309 BLUFFTON, SOUTH CAROLINA 29910

for a permit to place fill material in, perform excavation in and perform mechanized landclearing in jurisdictional wetlands adjacent to waters of the

### **NEW RIVER**

at locations on a 5,248.98 acre tract located on the north side of U.S. Highway 278 east of the intersection with I-95 in the City of Hardeeville, Jasper County, South Carolina (Latitude 32.3380°, Longitude 81.0244°)

In order to give all interested parties an opportunity to express their views

## NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

# 12 O'CLOCK NOON, MONDAY, 3 APRIL 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing fill material in 22.73 acres of jurisdictional wetlands and in 14.33 acres of non-jurisdictional wetlands, performing excavation in 1.26 acres of jurisdictional wetlands and in 1.84 acres of non-jurisdictional wetlands and performing mechanized land clearing in 1.98 acres of jurisdictional wetlands and in 0.54 acres of non-jurisdictional wetlands for a total wetland impact of 42.68 acres. The purpose of the project is to construct roads, lots, infrastructure and amenities associated with a master planned mixed community that

will be constructed in phases. In addition, the permit applicant has also submitted a mitigation plan, an endangered species survey and a Phase I cultural resources survey. The applicant is requesting a 25 year permit.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Avenue Charleston, South Carolina 29403-5107.

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 25.97 acres of jurisdictional freshwater wetlands and 16.71 acres of non-jurisdictional freshwater wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination. The applicant provided this office a copy of the letter from the U.S. Fish and Wildlife Service dated February 25, 2005, (FWS Log No. 4-6-05-I-228).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation. shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

Debra W. King Project Manager Regulatory Division

U.S. Army Corps of Engineers

Debra N. King

1.0 Site Location and Description: The Argent West Tract is a 5,248.98-acre tract owned by the applicant, Core Communities of SC, LLC and planned for development. The project site is located on the north side of U.S. Highway 278 just east of its intersection with I-95, in the City of Hardeeville, Jasper County, SC. The project site is accessible from U.S. Highway 278. No ingress or egress is available or proposed from I-95. The Great Swamp borders the Property on the north and east. US Highway 278 borders it on the south. To the west, it is bordered by I-95. The property is primarily wooded, with a mixture of thinned and planted pines and limited hardwoods. Elevations range from 10 to 20 feet above mean sea level. The site is an extremely attractive development property, being well situated in a rapidly growing area of South Carolina, with access to existing highways and infrastructure. The landowners negotiated a Development Agreement with the City of Hardeeville for the entire site. The Agreement has a 20-year life.

The project site is composed of a variety of habitats typical of the southern South Carolina coast and includes upland and wetland pine plantation, isolated depressional wetlands, bottomland hardwood swamp forest, and mixed pine/hardwood uplands. The site, prior to purchase by International Paper Company, was owned by Union Camp Corporation. Prior to that, the Argent Land and Timber Company used the property to graze cattle. The Property was mostly clear pasture. Therefore, large oak forests are not found on this tract. Upland tree coverage is generally planted pine crop ranging in age from 1 year to 22 years old. Today, the property is in the second rotation of tree harvest, and large areas are being harvested every year. Hardwood trees are generally found in the wetland areas. The hardwoods in the Great Swamp are in early succession and range from 5 to 10 years in age. A more detailed description of the site is provided in two attached Threatened and Endangered Species Survey reports for the overall project site.

The 5,248.98-acre project site includes 1,652.42-acres of wetlands, 3,546.78-acres of uplands, and 49.78-acres of borrow pits. Wetlands contained within the tract include 60.04-acres of isolated non-jurisdictional wetlands, and 1592.38-acres of 404 jurisdictional isolated and contiguous wetlands. It is important to note that wetlands have been verified by the US Army Corps of Engineers (USACE) as either isolated, non-jurisdictional or 404 jurisdictional wetlands. All wetlands contained within the tract have been identified and are depicted on the wetland master plan. All wetland impacts are identified and proposed to be adequately mitigated.

2.0 Project Description: The proposed project involves creation of a mixed-use development consisting of residential, commercial, office, and institutional development, open space, and public use areas on the 5,248.98-acre site. Approximately 42.68-acres of wetlands (jurisdiction and non-jurisdiction) will be impacted to develop the site as planned to meet the intended purpose and be economically viable.

The population growth in the Beaufort/Jasper County area is expected to significantly increase in the coming decade. The majority of the growth is expected to occur in the US Highway 278 corridor between I-95 and Hilton Head Island. Residential housing needs growth is concomitant with population increases and, thus, the need for housing accelerates.

With the expected population growth, the need for additional commercial shopping alternatives becomes essential. Core Communities of SC, LLC proposes additional commercial areas to meet this need. Core Communities of SC, LLC's proposed roadway connections and an internal road system will provide access to the shopping and office areas proposed on-site.

Core Communities of SC, LLC has worked closely with the City of Hardeeville to discuss proposed project plans and to address any issues that the City may have concerning the proposed project. It is the intent of Core Communities of SC, LLC to create an environmentally sensitive development plan for this property.

Core Communities of SC, LLC has expended significant resources in design of a comprehensive wetland master plan for the project site. The proposed plan is the result of detailed market research, infrastructure plan development, preliminary engineering design, topographic surveys, wetland delineation and surveys, natural resource evaluations and inventories, threatened and endangered species surveys and archaeological and cultural resource surveys. Initial planning efforts focused on evaluating the natural features of the land to determine the type of development most appropriate for the site. A priority in this intensive planning process has been preservation of the natural landscape unique to the site, resulting in a master plan that recognizes the natural features of the land and minimizes development activities in the most environmentally sensitive areas.

Core Communities of SC, LLC will offer a broad range of housing opportunities and associated amenities, including, single family residential uses, neighborhood commercial uses, golf course, pedestrian/bicycle/cart trails, and community park/open space areas. A central focus of the master plan is

providing active recreation opportunities and promoting an active lifestyle for residents of the community and their guests.

As is usual with development projects of this size, the proposed project will be constructed in phases. It is anticipated that development of the site will occur in accordance with the PPD agreement for the site over the next  $\pm$  25 years. Therefore, Core Communities of SC, LLC requests the US Army Corps of Engineers (USACE) to consider this application for a twenty-five year permit.

- 3.0 Description of Proposed Impacts: In order to accomplish the project purpose as described in Section 4.0 of this document, Core Communities of SC, LLC proposes the following activities resulting in impacts to wetland resources.
  - 1) Fill 12.79-acres of contiguous, 404 jurisdictional wetlands to construct access roads into and throughout the site.
  - Fill 12.07-acres of 404 jurisdictional wetlands for various other site development activities including residential and commercial development and associated amenities as indicated on the master plan.
  - 3) Fill 14.33-acres of isolated non-jurisdictional wetlands to accommodate various residential and commercial development activities and associated amenities, as indicated on the master plan.
  - 4) Excavate 1.26-acres of contiguous 404 jurisdictional wetlands and 1.84-acres of isolated non-jurisdictional wetlands to construct lagoons for stormwater management, recreation, and fisheries management.
  - 5) Clear 1.98-acres of 404 jurisdictional wetlands and 0.54-acres of isolated non-jurisdictional wetlands for golf play.

The 12.79-acres of fill for road construction are maximums and include a 20% contingency to provide flexibility in final road locations and design. Final road locations that vary from those presented in this application will be submitted to the USACE and South Carolina Department of Health and Environmental Control (SC DHEC) prior to construction, to document that the revised plans are consistent with the intent of any issued permit.

Of the 1,652.42-acres of wetlands contained within the project site, Core Communities of SC, LLC proposes to impact 42.68-acres while avoiding and preserving 1,609.74-acres (97%) of wetland resources on site.

## 4.0 Project Purpose:

The project purpose statement is divided into "basic project purpose" and "overall project purpose". This approach is consistent with the evaluation of alternatives required by the 404(b)(1) Guidelines and may assist the USACE in conducting their analysis of alternatives.

The <u>basic purpose</u> of the requested permit is to place fill material, excavate and clear in waters of the US, including wetlands, to construct roads, lots, infrastructure and amenities associated with the proposed land development plan.

The <u>overall purpose</u> of the proposed project is to construct a flexible, economically viable, long term, master planned mixed-use community on the project site.

The key to accomplishing the project purpose is obtaining a comprehensive wetland master plan permit for the conceptual development plan which will provide the applicant, the City of Hardeeville and Jasper County with certainty as to how development can proceed and allows flexibility for the most efficient use of economic and land resources over the  $\pm$  25 year life of the project.

#### 5.0 Alternatives Analysis:

## 5.1 Market/Economic Analysis

As the Beaufort, Hilton Head Island, and Savannah region continues to attract retiring baby boomers from colder climates, young professionals and tourism and construction industry employees, the potential market for the proposed Argent West development is diverse. While Bluffton has become one of the most affluent communities in South Carolina, Bluffton and the surrounding area is also one of the fastest growing regions with a continuing demand for quality housing. The Argent West concept of development will allow a diversity of product to be provided within the context of a large, master planned community with associated amenities and neighborhood commercial centers accessible to nearby communities. The demand for amenities is strong at all price points, particularly golf, health and fitness and nature and water oriented activities. Open space, nature trails, and natural areas are a key element of amenities that are

crucial to creating value in properties to be sold and competing in the marketplace. More typical amenities, including, golf, swimming pools, tennis courts, and activity centers will also be provided.

Acreage is utilized by a variety of development activities, including, residential lot development, commercial development, amenities, road right-of-ways, utility right-of-ways and stormwater management, local government required buffers and setbacks and wetland mitigation requirements. The largest single use of land is typically lot development with amenities second. The overall mix of lots and amenities relative to land cost is the principal factor in determining the economic viability of the project. However, the wetland mitigation actions proposed for the Argent West property by Core Communities of SC affects  $\pm$  1,786.95-acres ( $\pm$ 34%) of the 5,248.98-acre site.

The sale of lots is the only source of revenue. Fewer than the "optimum" number of lots diminishes the economic viability of the project as a financial venture. Lenders and investors will not finance a project when profit margins become lower than accepted industry standards. Also, developers will not go forward with projects where reasonable opportunities for financial success do not exist. The assessment of risk by lenders, investors and developers will be dependant upon the reliability and quality of a projected income stream from product (lot/land) sales.

#### 5.2 Site Location

The site is an extremely attractive development property, being well situated in one of the most rapidly growing areas of South Carolina, with excellent access to major roadways and existing infrastructure, including, water, sewer and natural gas. Given the availability of existing roads and other infrastructure to adequately serve the property, secondary impacts from proposed development and cumulative impacts will be minimized. US Highway 278 provides direct access to Hardeeville, Bluffton and easy and convenient access to Savannah and Hilton Head Island. It is anticipated that potential residents and businesses will utilize the opportunities, services and attractions that these nearby communities offer. The location of the site also allows for quick and convenient evacuation in the event of a hurricane, which is a concern for some persons and businesses considering relocation to the low country of South Carolina.

Wetland resources contained within the project site represent approximately 32% of the total site area, which is comparable to other large tracts of land located throughout the low country of South Carolina and presents similar engineering and land planning challenges and opportunities. Archaeological and cultural resources and wildlife habitats are also similar to other potential development properties. Core Communities of SC, LLC believes impacts to wetland resources, archaeological and cultural resources and wildlife habitats for construction of the proposed project on other similarly sized and located properties would be comparable to impacts proposed with the submitted application.

Given the location, size, percent of wetland resources, access, availability of infrastructure, zoning and economic resources expended to date in preparing the property for development, it is not realistic or "practicable" to expect the project site to remain undeveloped. Additionally, marketing analysis conducted by Core Communities of SC, LLC confirms the suitability of the project site for the intended land use.

### 5.3 Practicable Alternatives

The identification or assessment for an alternate site that would meet the purpose and need of the project but potentially having lesser impacts to aquatic resources appears pointlessness. It is highly unlikely that a 5,248.98-acre site could be located in the nearby surrounding area. Tracts of this size are generally unavailable unless you attempt to purchase, from willing agreeably sellers, numerous smaller tracts that are all connected or adjacent to create the needed 5,248.98-acres required to create a development such as the one being proposed in this application. If a suitable size site could be obtained in the nearby area, it is highly probable that the site would have significant wetland resources that would be impacted to a similar or more significant degree that the current site proposal. Therefore, alternative site analysis appears to be uncalled for in these type ventures.

The 5,248-98-acre project site includes  $\pm$  1,652.42-acres ( $\pm$  60.04-acres isolated non-jurisdictional and  $\pm$  1592.38-acres 404 jurisdictional) of freshwater wetlands,  $\pm$  32% of the total site, including large bottomland hardwood forest that extend through the tract. Isolated depressional wetlands, both 404 jurisdictional and non-jurisdictional are scattered throughout the site. The percentage and location of wetlands contained within the site makes complete evolutional are scattered throughout the strong of impacts not feasible or realistic. Core Communities of SC, LLC's concept of

developing an integrated, interconnected community commitment to serving the diverse real estate market of the region and the challenges and opportunities to developing this unique property make the proposed project particularly well suited for wetland master plan permitting. Comprehensive master planning aids local governments as well as developers in planning the financing and constructing of infrastructure, including, roads, drainage systems, sewer, water and other utility services, resulting in lower development costs, lower costs for providing public services and, ultimately, lower housing costs for consumers. Additionally, comprehensive wetland master plan permitting provides an opportunity for evaluation of cumulative impacts and encourages avoidance and minimization of impacts to significant wetland systems that are capable of providing wetland functions after site development is complete. During this process, compensatory mitigation is also identified and established in advance of or concurrent with project impacts including, preservation and restoration/enhancement opportunities in large, significant, wetland systems.

Core Communities of SC, LLC began the planning process for development of the project site with the goal of avoiding and minimizing overall project impacts, including potential impacts to water quality, freshwater wetlands, unique wildlife habitats and archaeological and cultural resources. To this end, significant resources have been expended on various plans, surveys, assessments and reports, including a wetland delineation and survey, threatened and endangered species assessment, habitat and ecological community analysis, archaeological and cultural resources survey, preliminary engineering reports, land planning and marketing analysis.

Core Communities of SC, LLC prepared numerous draft development plans that included comparable impacts to wetland resources. Each draft of the plan was reviewed by the project development team. Each plan revision was an effort to improve the overall land plan, provide for access, utilities, amenities, lot development, and the flexibility necessary to construct an economically viable project while avoiding and minimizing impacts to wetlands and other environmentally or culturally sensitive resources. Prior to finalizing the wetland master plan submitted with the application, Core Communities of SC, LLC conducted a pre-application site visit and plan review December 13, 2005, which was attended by personnel from the various state and federal regulatory/review agencies, including South Carolina Department of Natural Resources (DNR), US Fish & Wildlife Service (USFWS), South Carolina Department of Health and Environmental Control-Environmental Quality Control (DHEC-EQC), and the South Carolina Department of Health and Environmental Resource Management

(OCRM). The agencies recommended revising project plans to avoid impacts to certain defined jurisdictional and isolated non-jurisdictional wetlands throughout the site. The final wetland master plan and mitigation plan submitted in support of the application has incorporated, where possible and practicable, plan revisions in response to agency comments received at the December 13, 2005, pre-application meeting and written comments received from the DNR, USFWS, and SCDHEC-EQC.

The wetland master plan proposed with the application identifies wetlands and conceptual development and represents a considerable effort on the part of the applicant to avoid and minimize overall environmental impacts and proposes adequate, onsite compensatory mitigation for those impacts that cannot be avoided. Requested impacts (42.68-acres) are small relative to the total site area (5,248.98-acres), representing far less than 1% of the total project site. Approximately 95% of wetland resources contained within the site are to be preserved, restored and/or enhanced. It is not feasible or realistic to avoid all of the jurisdictional and non-jurisdictional isolated wetlands scattered throughout the site and maintain a rational project design and flexibility necessary to construct a large, master planned community with a long-term build-out. The conceptual master plan demonstrates avoidance and minimization of impacts to significant wetland resources to the maximum extent practicable and realistic while maintaining important wetland functions and providing for reasonable and necessary access, utility services, stormwater management and necessary flexibility for constructing an economically viable mixed-use development and associated amenities.

Following is a presentation of impacts for the specific activities requested with this application and a discussion of alternatives and justification considering cost, existing technology and logistics for each activity.

### 5.3.1 Road and Utilities Construction

It is necessary to construct an extensive interior road system to provide access into and throughout the project site. Due to the configuration of wetland systems transecting the site, a functional, efficient and safe road network cannot be constructed without impacting wetland resources. Alternatives for constructing roads through wetland systems include bridging and/or filling. Both bridge and fill alternatives are technically and logistically possible, however, the difference in the cost of bridge construction (±\$2,350.00/LF) as opposed to

construction on fill ( $\pm$  \$890.00/LF) is  $\pm$  \$1,460.00 per linear foot. Due to the additional cost associated with bridge construction, this alternative is not considered feasible for each of the freshwater wetland road crossings associated with the proposed project. Existing causeway will be removed as described in the Compensatory Mitigation Plan for the Argent West Development.

Proposed road crossings are located and designed to minimize impacts to wetland resources while providing necessary and desirable access throughout the site. Existing silviculture roads are utilized where possible. All road crossings will be adequately culverted to accommodate existing and anticipated water flows, to maintain and enhance sheet flow through the wetlands and prevent flooding of adjacent upland properties. The more significant road crossings (RC-006 AND RC-030) will include bridging features and culverts to insure flow quantities and circulation patterns are maintained. Additional minimization of impacts is provided with the incorporation, where practicable and appropriate, of utilities within proposed road right-of-ways. The 10.66-acres of impact to 404 jurisdictional wetlands proposed with the application represents the most practicable alternative for providing necessary access and utility services to the proposed community.

## 5.3.2 Lot Development

In order for the proposed project to be economically viable, Core Communities of SC, LLC must be able to utilize significant site acreage to construct residential and commercial lots. It is technically and logistically possible to construct these residential and commercial parcels/lots anywhere on the project site, however, the value added to the overall project and to the individual product to be sold by implementation of a professionally designed and master planned residential community with associated amenities is key to creating an economically successful project, achieving the project purpose and ensuring the protection and preservation of remaining aquatic resources onsite.

Purchasers coming into the Beaufort/Jasper County residential real estate market demand active and passive recreational amenities, particularly health and fitness and nature and water oriented experiences. Market preference and economic factors drive competitive developments to provide an appropriate number of residential lots to support the cost of land, amenities and services. A loss of the necessary lots can render the project financially and

economically not feasible, potentially resulting in development of the land by others, with minimal planning, minimal environmental enhancement features, less control of development actions that are part of a master planned development, all leading to negative overall impacts to the surrounding area (wetlands and uplands).

Impacts to 404 jurisdictional wetlands for the creation of development parcels and lots, including attendant interior streets, utilities and stormwater systems, dwelling units and commercial parcels have been avoided to the maximum extent practicable and appropriate in order to achieve the stated project purpose. The 12.07-acres of fill proposed in 404 jurisdictional wetlands for these activities will impact relatively small depressional wetlands connected to larger wetland systems via man-made drainage ditches that are also considered waters of the United States. Also, small fingers or projections of contiguous wetlands or 404 jurisdictional isolated wetlands that are difficult to avoid will be impacted but the impact will not adversely affect the integrity of the wetland system or its functions. The 26.40-acres of total impact proposed, including 14.33-acres of secondary impacts to isolated non-jurisdictional wetlands represents the most practicable alternative for maintaining a rational land plan and creating the quantity and quality of product for an economically viable and successful project.

#### 5.3.3 Trails and Lagoons

Open space, trails and lagoons accessible to community residents are a key element of the amenities that are critical to creating an attractive, desirable community and value in the properties to be offered for sale. It is technically and logistically possible to construct trails and lagoons anywhere on the project site, however, to have any utility or value, theses features must be an integral part of the development plan and be designed to provide access to natural and created resources and amenities.

The master plan proposes numerous lagoons to be constructed in site uplands, however, the 3.10-acres of excavation proposed in wetlands will provide the necessary flexibility and continuity to provide stormwater management and incorporate open water into the land development plan. Trails and lagoons will create an opportunity for outdoor recreation activities, including hiking, fishing and wildlife observation, create habitat diversity on the site, including wading bird and fisheries habitat, and create stormwater detention/retention

areas to improve water quality and sheet flow through the wetland system. Proposed lagoons that are adjacent to or integrated into the wetland system are designed to maintain water levels at or above existing groundwater elevations. These lagoons will function as part of the aquatic ecosystem allowing excess water during storm events to flow into the wetland system.

The 3.10-acres of impact associated with lagoon construction in 404 jurisdictional and isolated non-jurisdictional wetlands, including 1.84-acres of excavation in isolated non-jurisdictional wetlands and 1.26-acres of excavation in 404 jurisdictional wetlands, represents the most practicable alternative for providing stormwater management and the necessary mix of amenities to achieve the project purpose.

#### 5.3.4 Golf Course Construction

The construction of golf course facilities is a key element of the amenities package that is critical to creating an attractive, desirable community and value in the properties to be offered for sale. It is technically and logistically possible to construct golf anywhere on the project site, however, the facilities must be appropriately designed to function within the overall master plan and add value to the balance of the property.

The master plan minimizes impacts to 404 jurisdictional wetlands for the construction of golf course fairways, tees and greens. Limited hand clearing of 404 jurisdictional wetlands and isolated non-jurisdictional wetlands for play-over is proposed in lieu of fill.

The 2.30-acres of clearing impact proposed with the permit application, including, 0.54-acres of secondary impacts to isolated non-jurisdictional wetlands, and 1.98-acres of clearing impacts in 404 jurisdictional wetlands for play over areas and represents the most practicable alternative for providing the necessary golf facilities to achieve the project purpose.

The above discussion address avoidance and minimization efforts conducted by the applicant and clearly indicates that there are no feasible alternatives to the proposed activity which will reduce overall adverse impacts and achieve the project purpose of creating an economically viable, long term, up-scale, mixed use, master planned community consisting of commercial, office, residential, institutional, open space, and public uses on the project site over an approximately 25-year time frame. The proposed compensatory mitigation for unavoidable impacts, discussed

below, will enhance and restore wetland functions to on-site wetland systems, including enhancement to water quality and wildlife habitat, through buffers, hydrology/water flow restoration, and habitat restoration activities. Through avoidance, minimization and the compensatory mitigation proposed, impacts to overall on-site wetland are minimal.

## 6.0 Compensatory Mitigation:

Proposed compensatory mitigation for project impacts includes preservation/enhancement/restoration of 1576.81-acres of wetland resources onsite by establishing 210.14-acres of adjacent upland buffers and implementing vegetative restoration, and existing causeway removal. Buffers are proposed to be an average of 25' in width in residential areas and 35' in commercial areas. Specific mitigation activities include 1,519.90-acres of wetland preservation and enhancement by buffering, 210.14-acres of upland buffer, 55.01-acres of vegetative restoration, and 1.90-acres of wetland restoration by causeway removal. Total onsite mitigation acreage is 1,786.95-acres, representing approximately 34% of the project site. All mitigation areas will be preserved in perpetuity by restrictive covenant to be held by a master POA. A more detailed description of proposed compensatory mitigation activities, including monitoring and success criteria is presented in the Argent West Compensatory Mitigation Plan that is included as an addendum to the permit application.

### 7.0 Threatened and Endangered Species:

A comprehensive Threatened and Endangered Species Assessment has been completed for the Argent West Development project site. This assessment concluded that the proposed project is not likely to result in adverse impacts to any federally listed threatened and endangered species. A copy of the assessment is included as an addendum to this application.

## 8.0 Archaeological and Cultural Resources:

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An intensive archaeological and cultural resources survey of the entire Argent West project site has been completed by R.S. Webb & Associates. A report of findings and conclusions as well as a draft MOA were submitted to SHPO for review and signature. A copy of R.S Webb's report and an executed MOA is included as an addendum to this application.

## 9.0 Cumulative Impacts:

## P/N #2006-1W-028-C

Consideration of cumulative impacts is as follows:

Land Development Activities: The construction of the proposed mixed-use development is not likely to result in other construction or development activities in the surrounding area. Given population growth in Beaufort/Jasper Counties and the surrounding area and the fact that the project site is zoned for the intended use, it is likely that other similar developments will occur regardless of the construction of this project. It is also noted that should the planned project not proceed, the land is likely to be developed in a piece-meal manner, the comprehensive compensatory mitigation plan will not be accomplished and wetland resources will be impacted to some unknown degree.

Infrastructure: Development of the proposed project is not expected to cause additional construction of public infrastructure projects, including roadways, power lines, sewer lines, water lines, and stormwater utilities, since the applicant has accounted for these actions in the permit application. Also, Argent West's proposed roadway connections and internal road system will provide access to the neighborhood commercial, amenities and open space areas of the project without the need for residents to travel on US Highway 278 or other public roadways. The proposed project will not, in and of itself, create a need for additional roadways in the area. However, provisions have been made in the development plan to incorporate access to a new interchange on I-95 should the City of Hardeeville, Jasper County, and the State of SC decide one is necessary.

There are no reasonably foreseeable, significant direct or secondary impacts to the environment related to this project when added to other past, present and reasonably foreseeable future projects. However, if other comparable projects are designed and developed in the manner that the Argent West development has set as an example, 97 % of aquatic resources will be protected in perpetuity while only 3% will be negatively affected by future undertaking.

## 10.0 Summary:

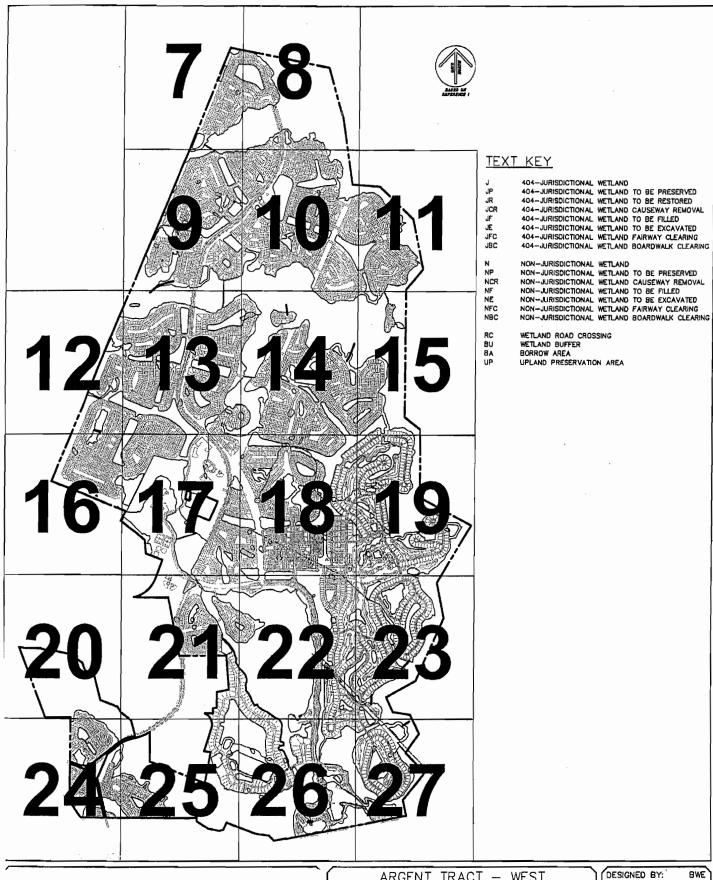
Master planning and permitting large, long term development projects are dependant upon having the flexibility to implement sound land planning and engineering design principles to create master plans which are often conceptual at the time of permitting, but which must include adequate land for development to economically justify the project, reasonable access, construction of utilities and

stormwater systems and appropriate location of the various land uses and amenities. The alternative to wetland master planning is the piecemeal development of the property making wetland avoidance more problematic, evaluation of cumulative impacts difficult and protection of aquatic resources more difficult and unrealistic.

Core Communities of SC, LLC believes the proposed wetland master plan for the Argent West property, represents the most practicable alternative for accomplishing the project purpose when considering the cumulative effects, both adverse and beneficial, of the overall project, including compensatory mitigation. Impacts to aquatic resources (42.68-acres) proposed with the master plan, both 404 jurisdictional and isolated non-jurisdictional, represent far less than 1% of the total project site and approximately 3% of total wetlands. A direct federal permit is not required to impact the isolated non-jurisdictional wetlands, however, the wetland master plan permit application provides an opportunity for the US Army Corps of Engineers and other state and federal agencies to review and evaluate secondary impacts associated with federally regulated activities in 404 jurisdictional wetlands. Total on-site mitigation, including wetland restoration, enhancement, preservation and establishment of upland buffers, is 1,786.95-acres, representing ± 34% of the project site. The proposed wetland master plan for the Core Communities of SC, LLC development not only minimizes adverse impacts to the aquatic ecosystem but also enhances the hydrology, vegetation, diversity and water quality of the significant wetland systems contained within the tract.

The minimization of impacts to aquatic resources will protect substantial portions or the landscape for future generations. Such protection is key to attaining the goals of Section 404 of the Clean Water Act by protecting and/or restoring the chemical, physical and biological integrity of waters of the U. S.

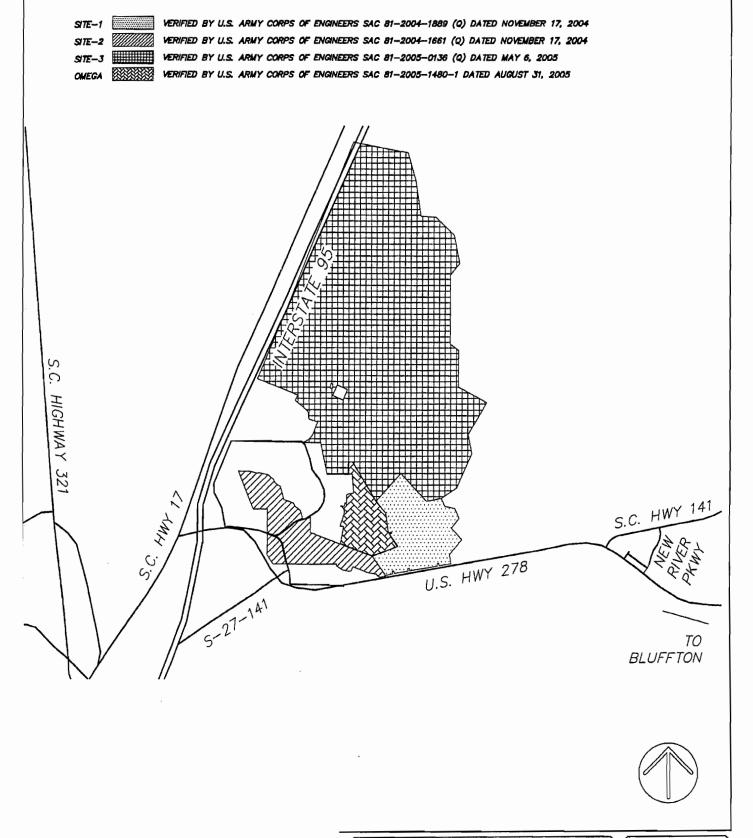
P/N #2006-1W-028-C



argent tract - west WETLAND MASTER PLAN

JASPER COUNTY, SOUTH CAROLINA

SHEET 1 OF 35

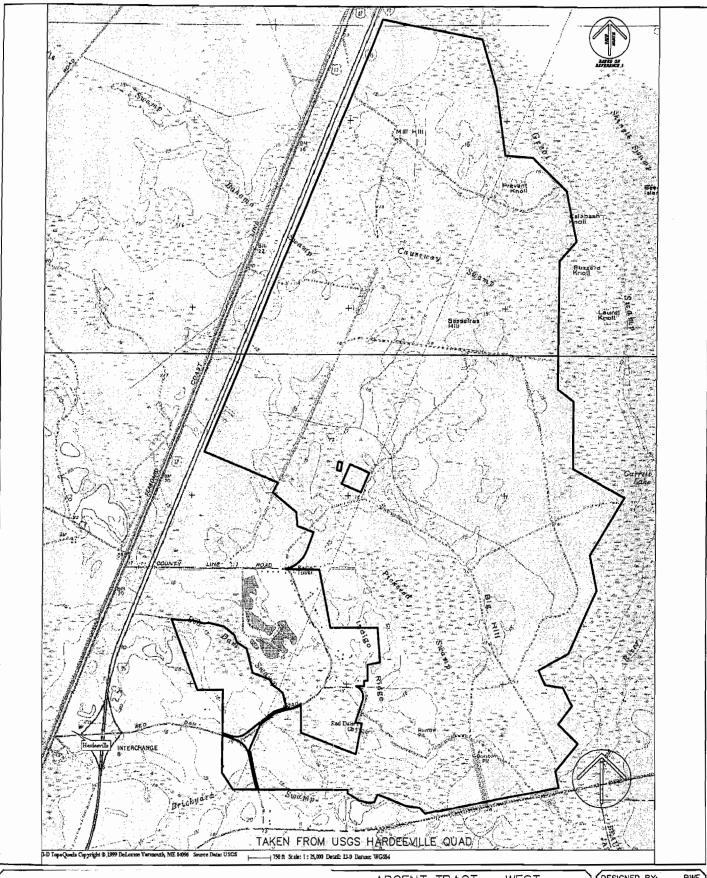


ARGENT TRACT - WEST LOCATION MAP

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE CHECKED BY: JDG DRAWN BY: BEW DATE: 01/31/06 SCALE: NTS PROJECT No. 045200

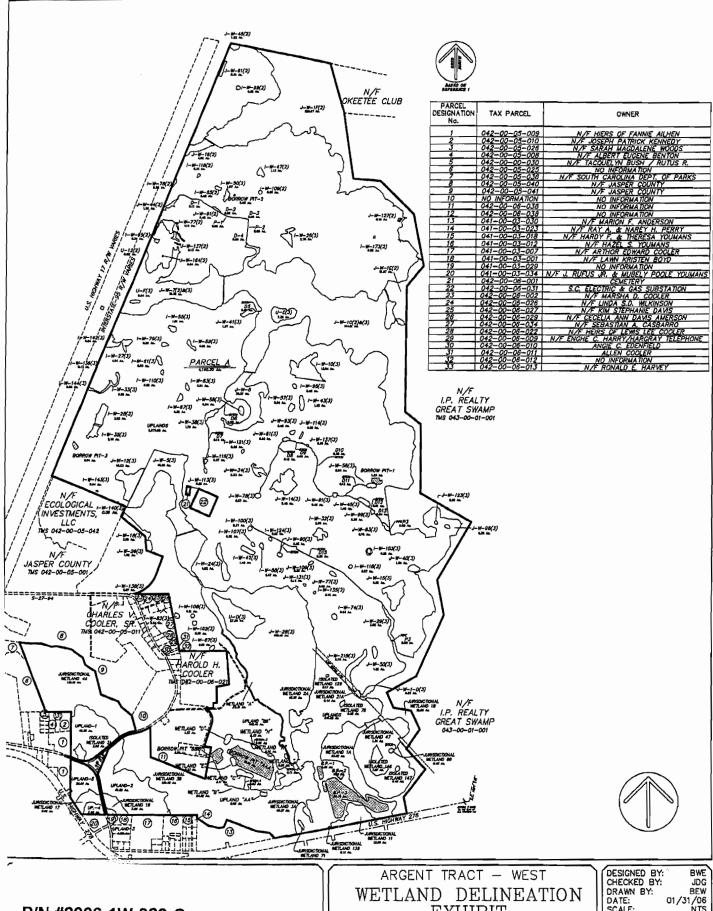
SHEET 2 OF 35



ARGENT TRACT - WEST USGS MAP

JASPER COUNTY, SOUTH CAROLINA

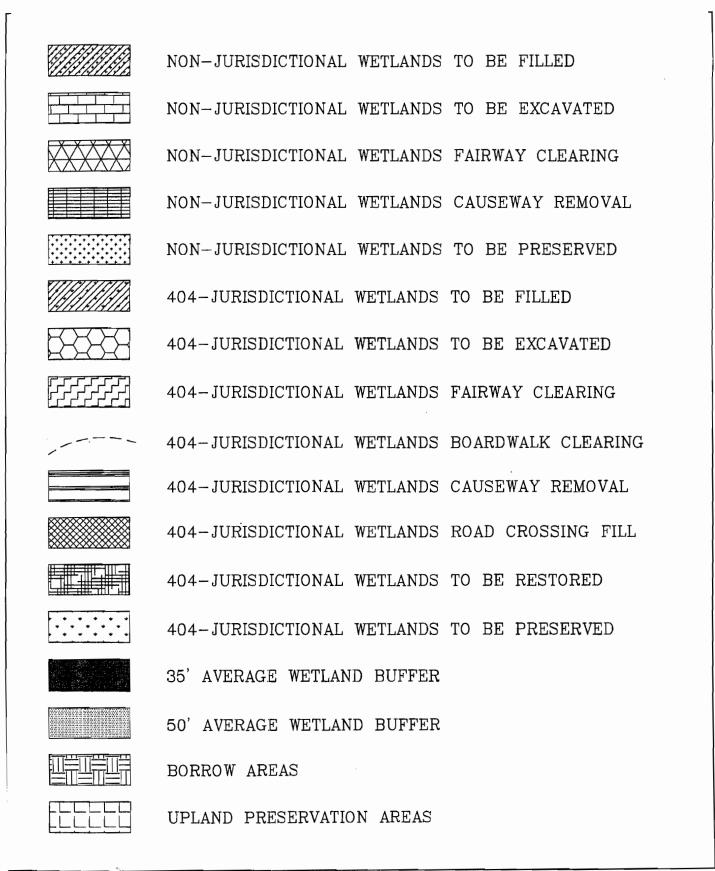
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**EXHIBIT** 

JASPER COUNTY, SOUTH CAROLINA

01/31/06 NTS SCALE: PROJECT No. 045200 OF 35 SHEET



ARGENT TRACT - WEST LEGEND

JASPER COUNTY, SOUTH CAROLINA

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DATE: 01/31/06
SCALE: NTS
PROJECT No. 01/31/06
SHEET 5 OF 35

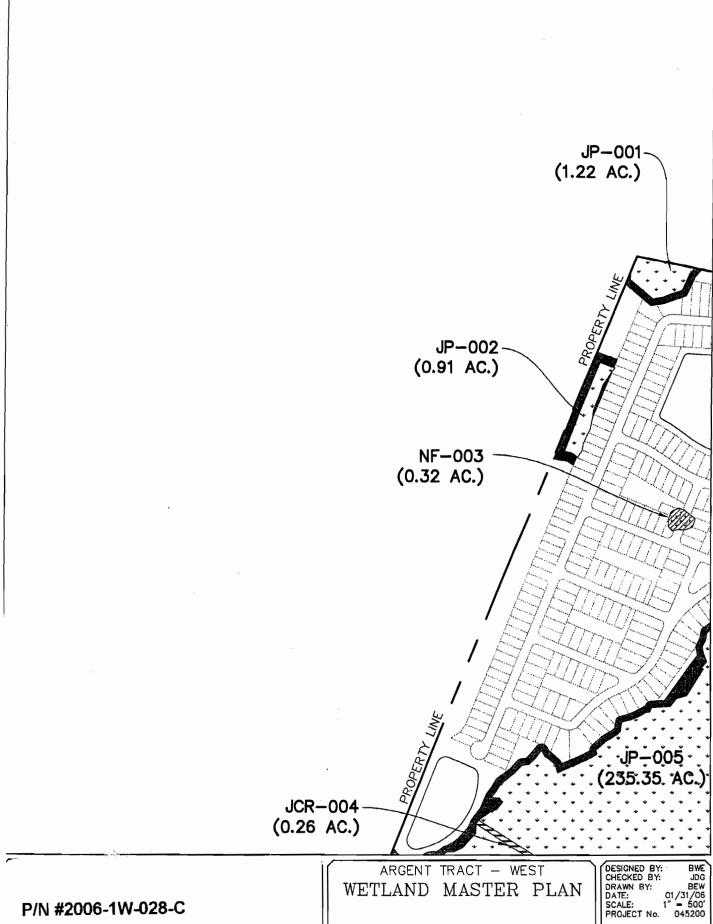
# SUMMARY INFORMATION

	NON-JURISDICTIONAL ACRES	404-JURISDICTIONAL ACRES	TOTAL ACRES	
TOTAL SITE			5248.98	
TOTAL WETLANDS TO BE FILLED TOTAL WETLANDS TO BE EXCAVATED	14.33 1.84	12.07 1.26	26.40 3.10	
TOTAL WETLAND CLEARINGS TOTAL ROAD CROSSING FILLS	0.54 0.00	1.98 10.66	2.52 10.66	
(PLUS 20% CONTINGENCY)	0.00	2.13	2.13	
TOTAL ELECTRIC COMPANY R/W TOTAL WETLANDS TO BE RESTORED	0.00 0.31	32.93 56.60	<b>32.</b> 93 <b>56.</b> 91	
TOTAL WETLANDS TO BE PRESERVED	43.02	1476.88	1519.90	
TOTAL WETLANDS	60.04	1592.38	1652.42	
TOTAL BORROW AREAS			49.78	
TOTAL UPLANDS TO BE PRESERVED			1.41	
TOTAL UPLANDS			3546.78	
TOTAL BUFFER AREA - 35' AVE. WIDTH			186.47	
TOTAL BUFFER AREA - 50' AVE. WIDTH			23.67	ĺ

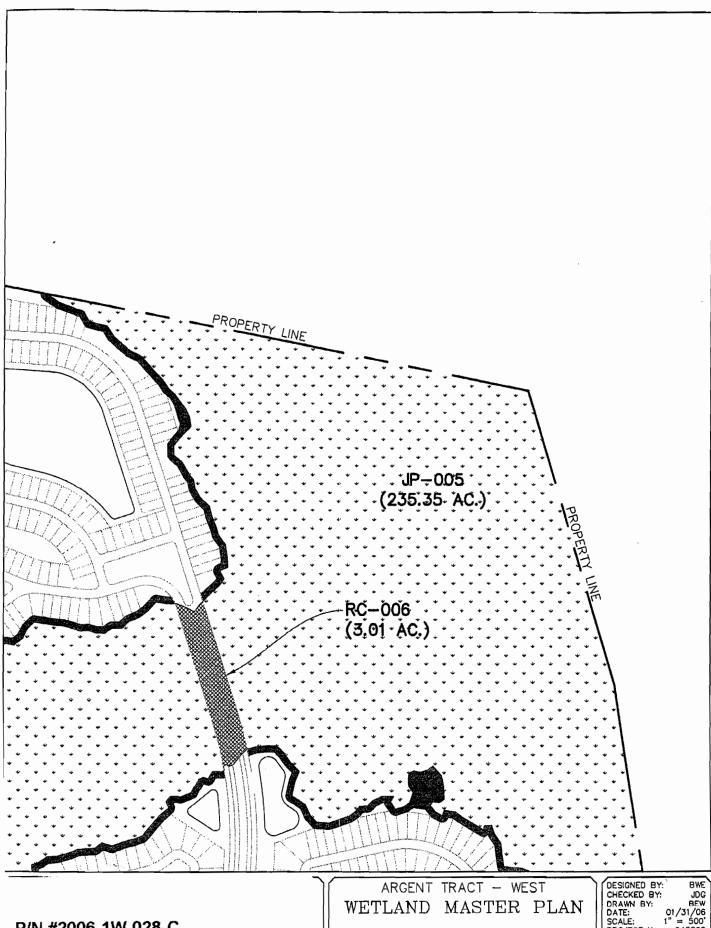
ARGENT TRACT - WEST SUMMARY INFORMATION

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE CHECKED BY: JDG DRAWN BY: BEW DATE: 01/31/06 SCALE: NTS PROJECT No. 045200 SHEET 6 OF 35



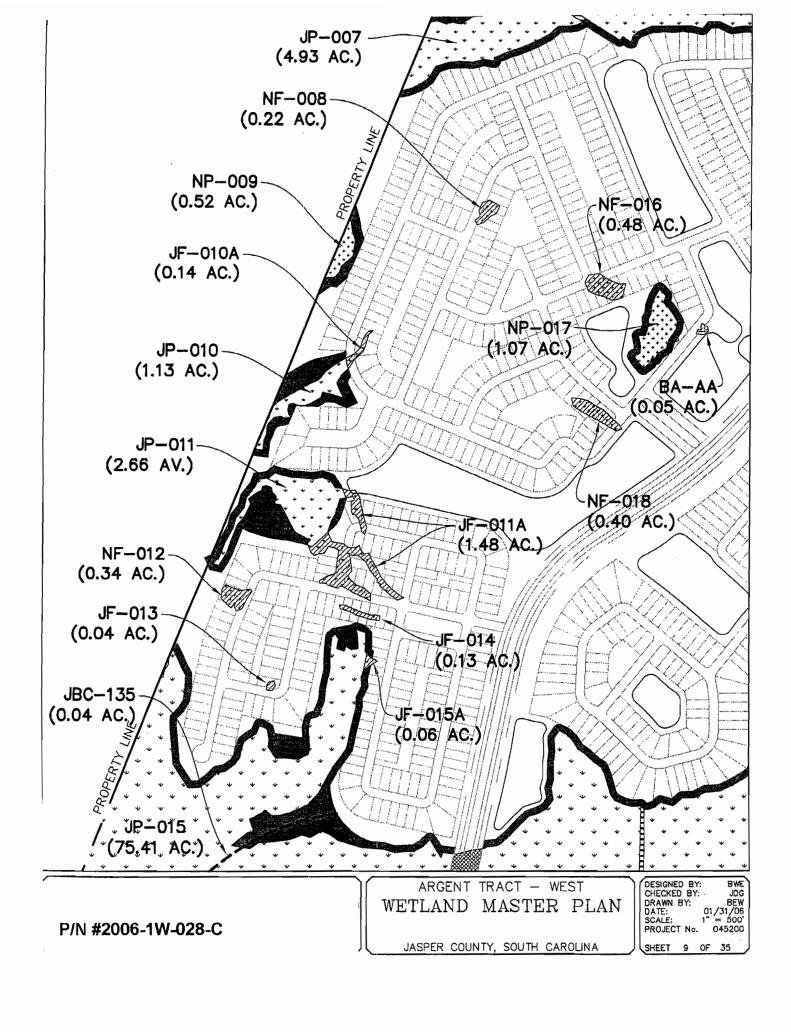
JASPER COUNTY, SOUTH CAROLINA

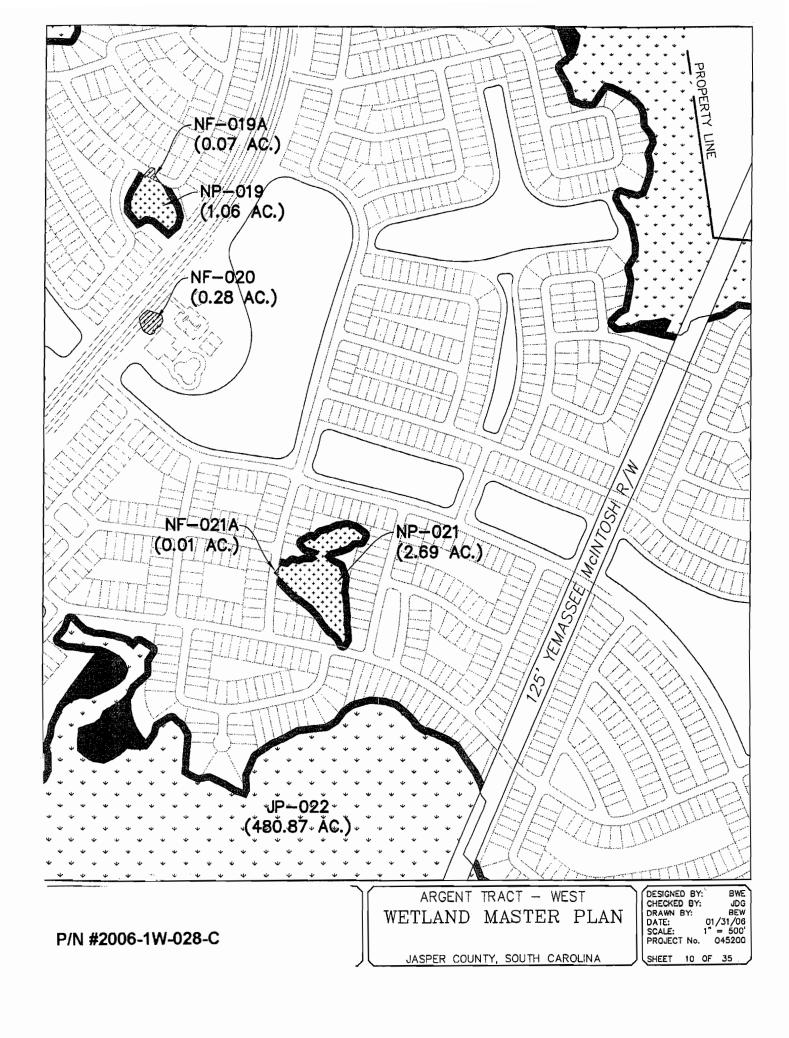


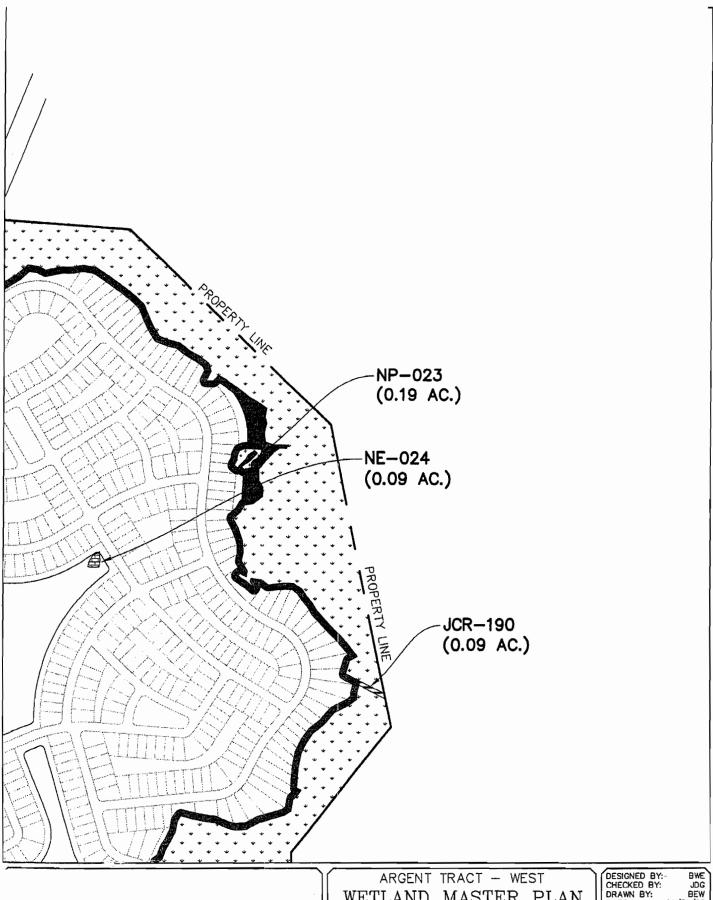
JASPER COUNTY, SOUTH CAROLINA

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SHEET 8 OF 35





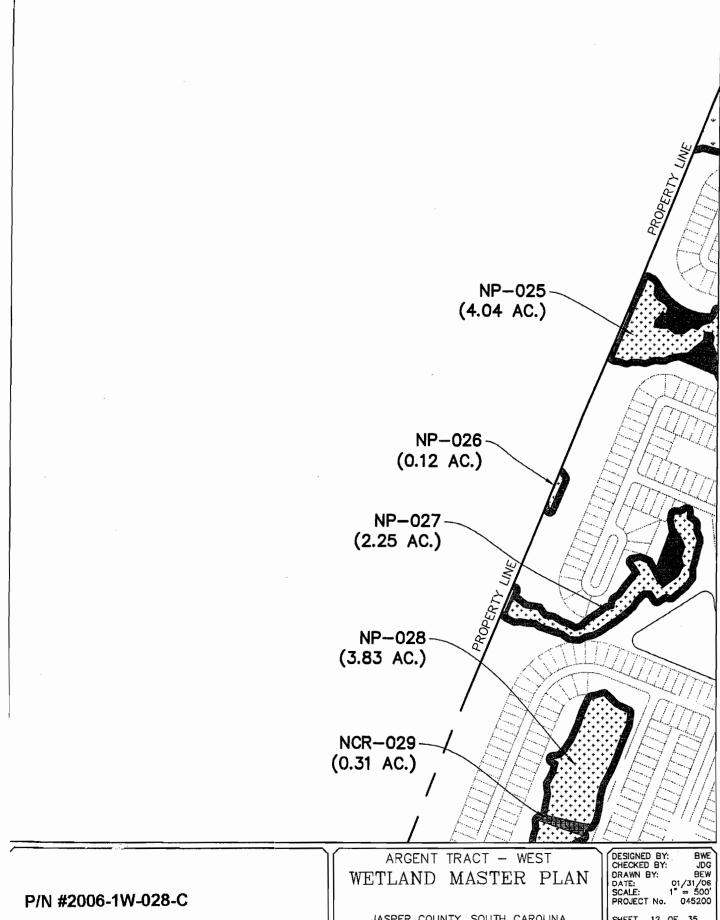


WETLAND MASTER PLAN

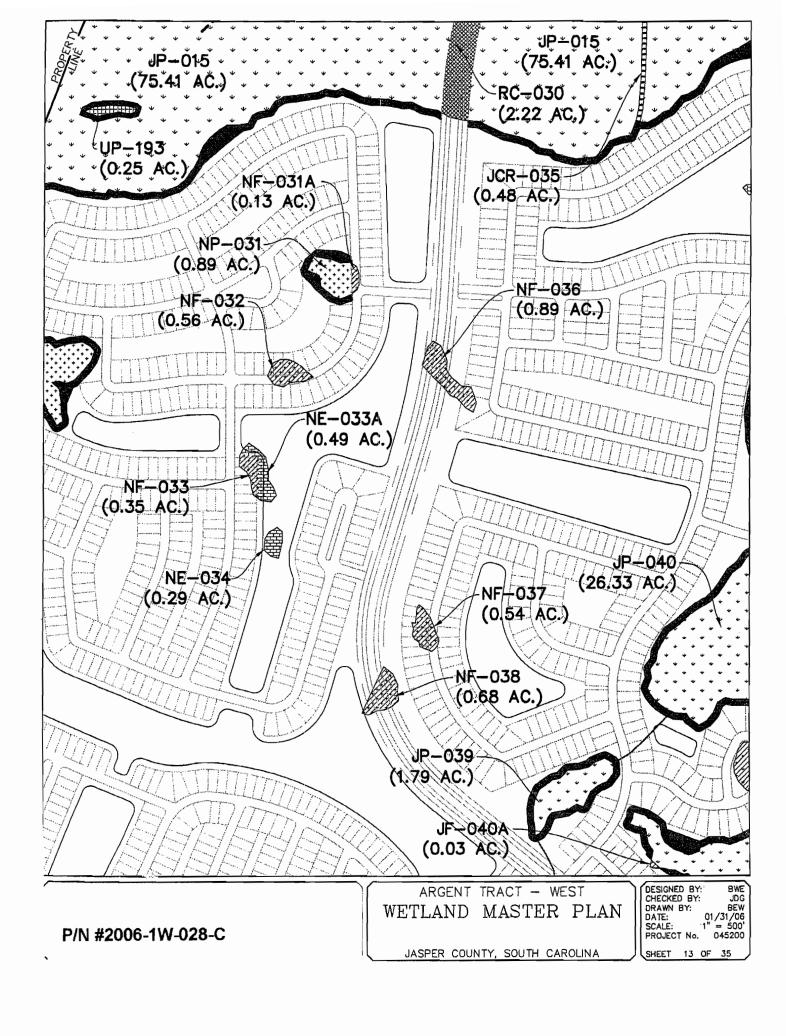
JASPER COUNTY, SOUTH CAROLINA

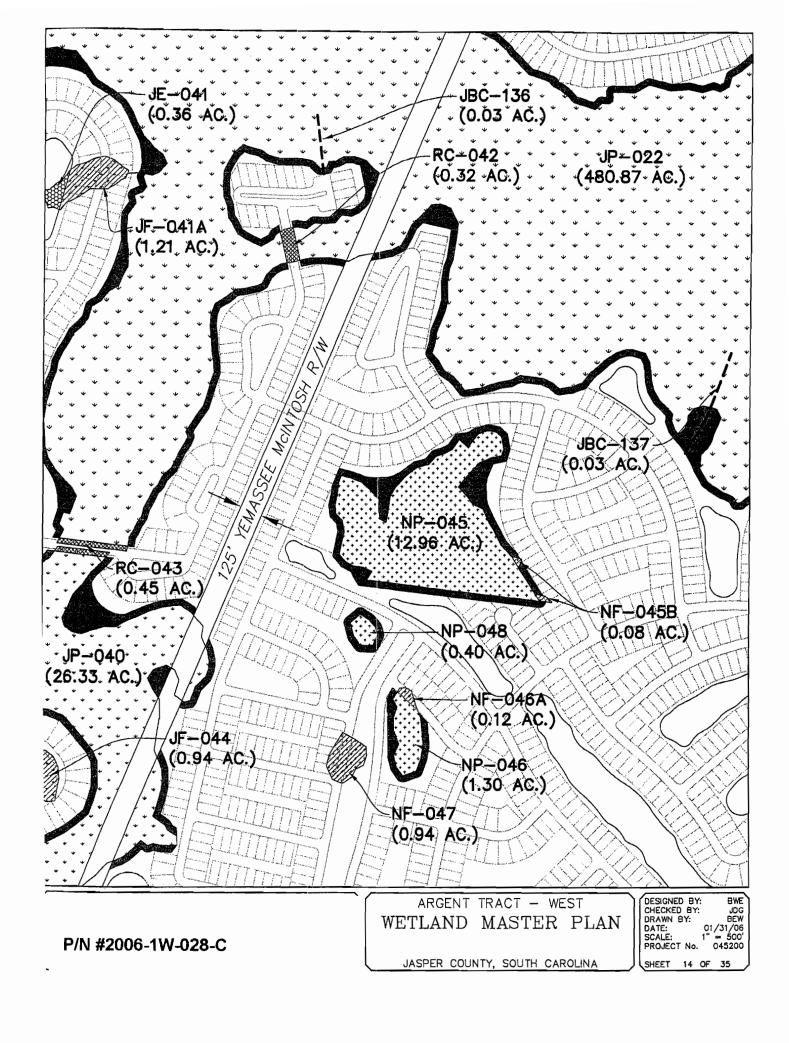
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CHECKED BY: JDG
DRAWN BY: BEW
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SCALE: 1" = 500'
PROJECT No. 045200

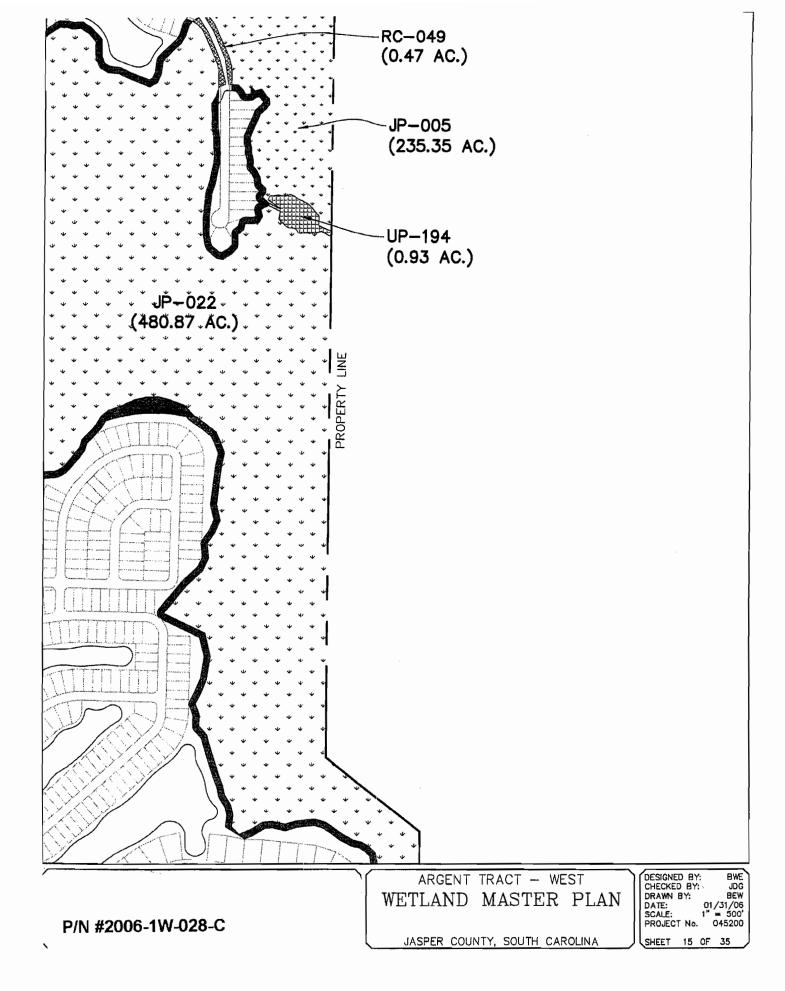
SHEET 11 OF 35

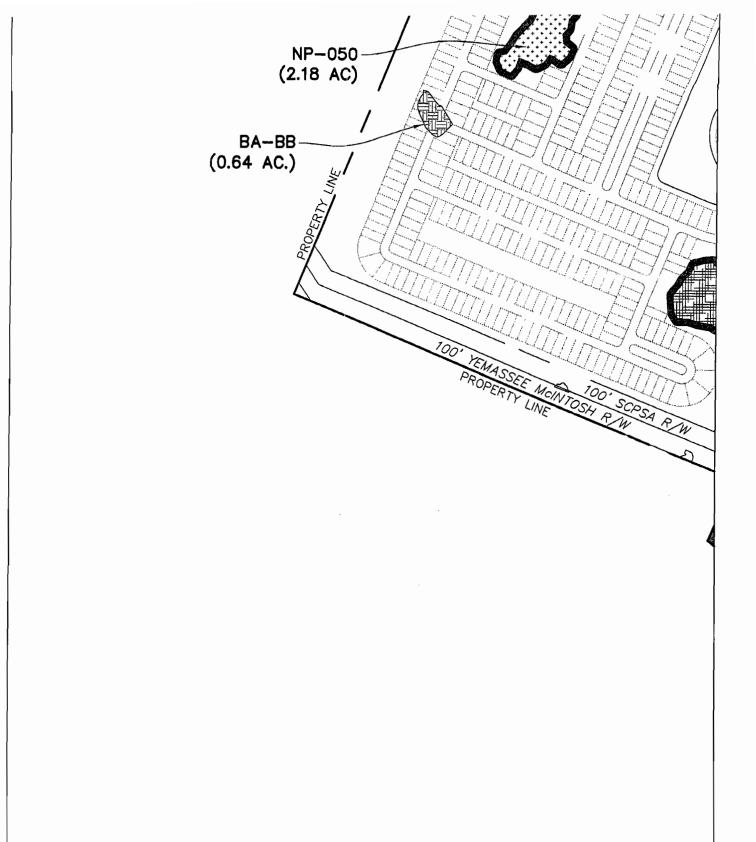


JASPER COUNTY, SOUTH CAROLINA





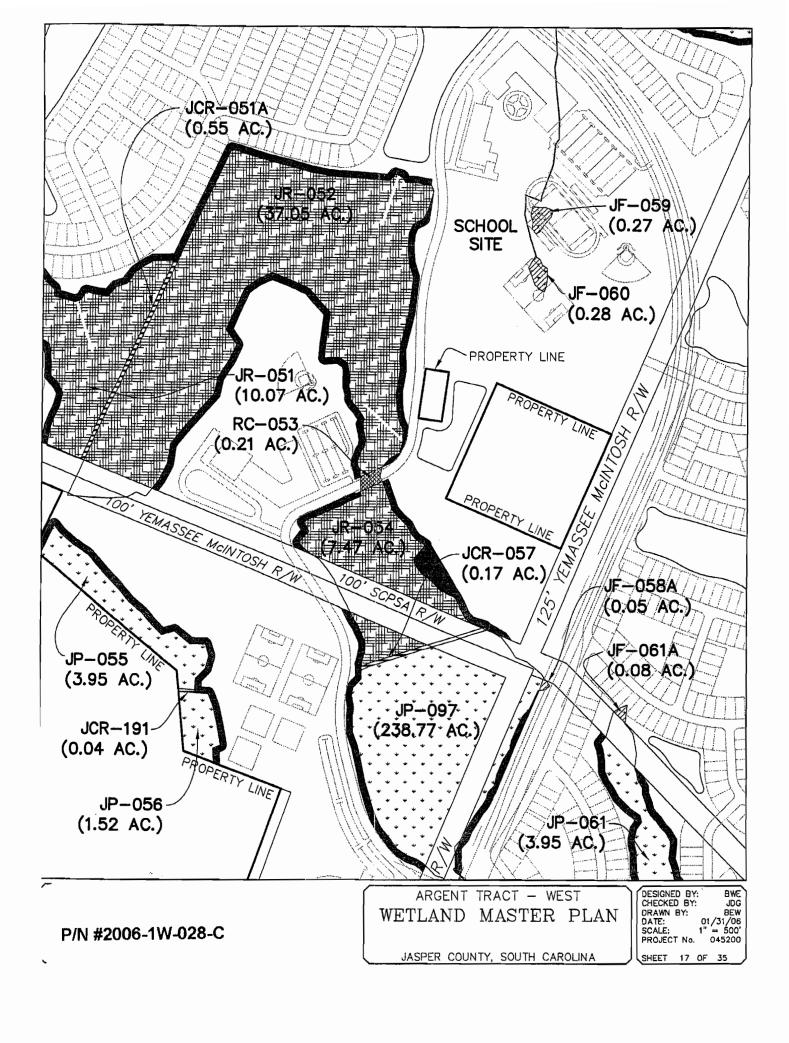


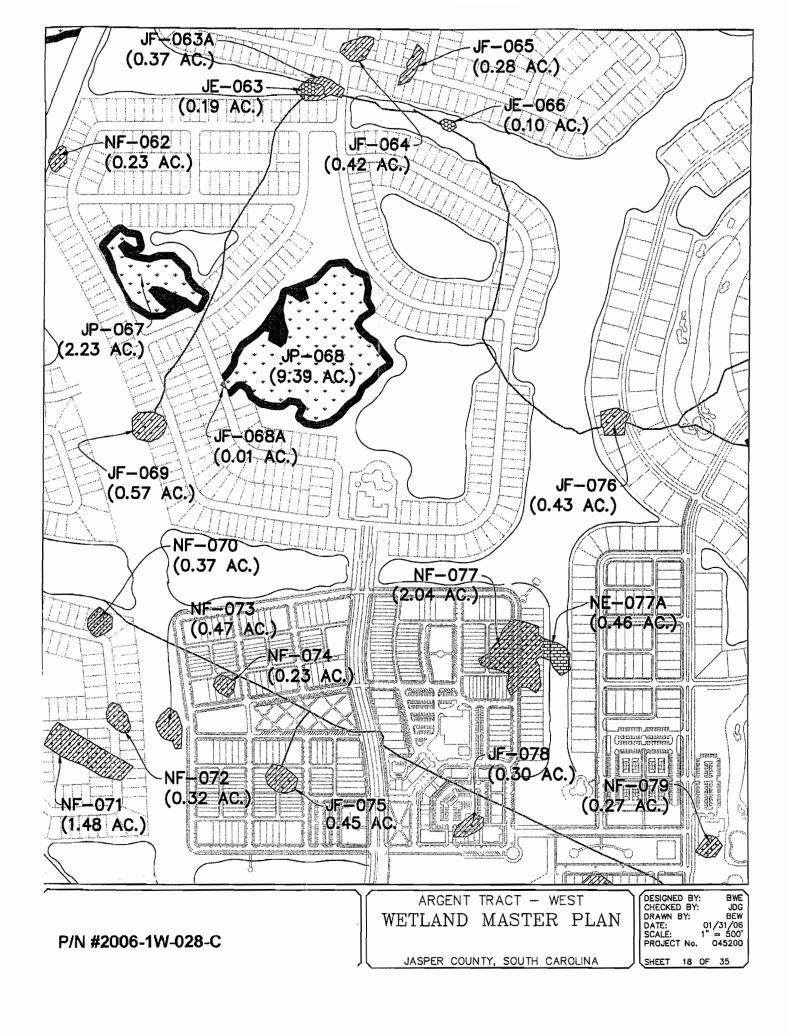


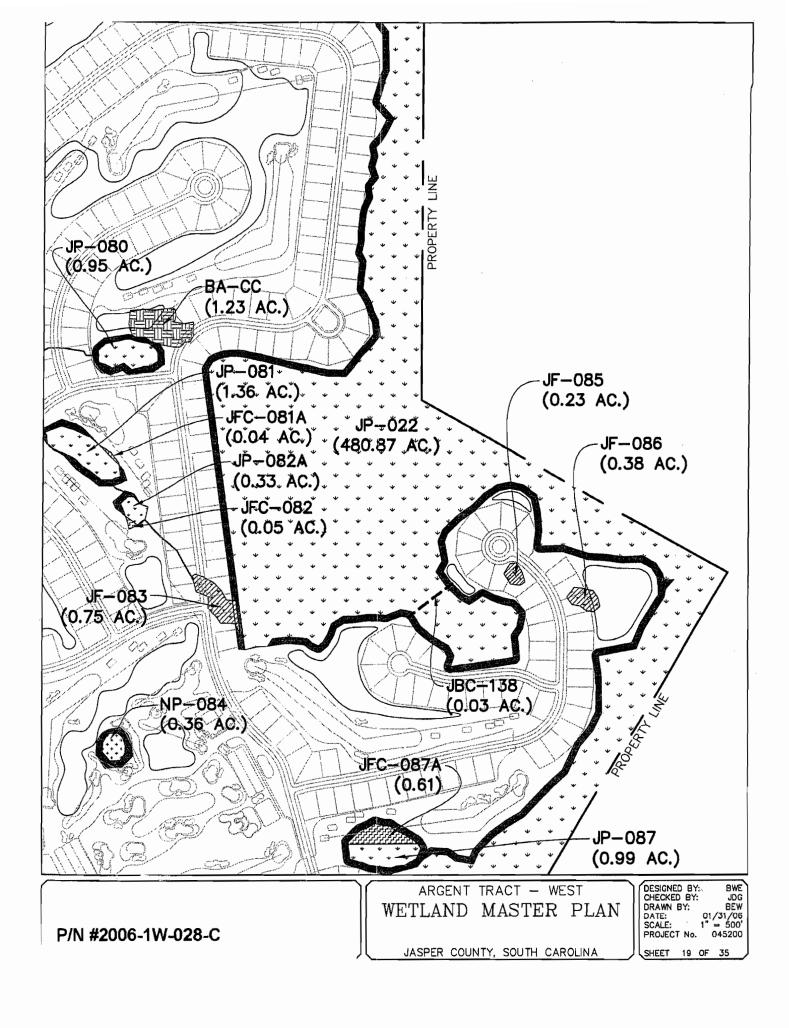
ARGENT TRACT - WEST
WETLAND MASTER PLAN

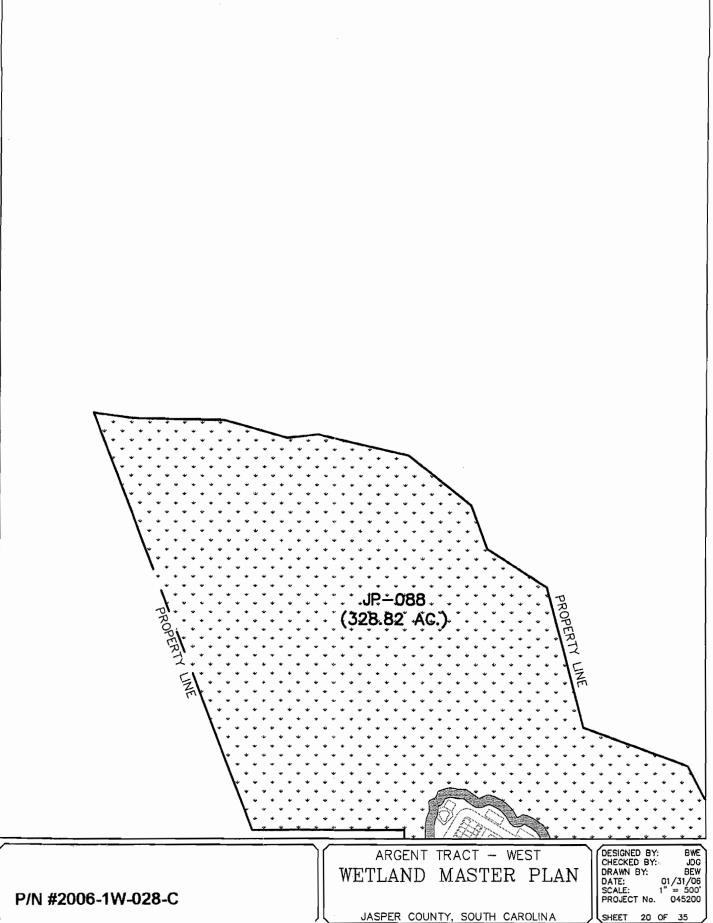
JASPER COUNTY, SOUTH CAROLINA

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CHECKED BY: JDG
DRAWN BY: BEW
DATE: 01/31/06
SCALE: 1" = 500'
PROJECT No. 045200
SHEET 16 OF 35

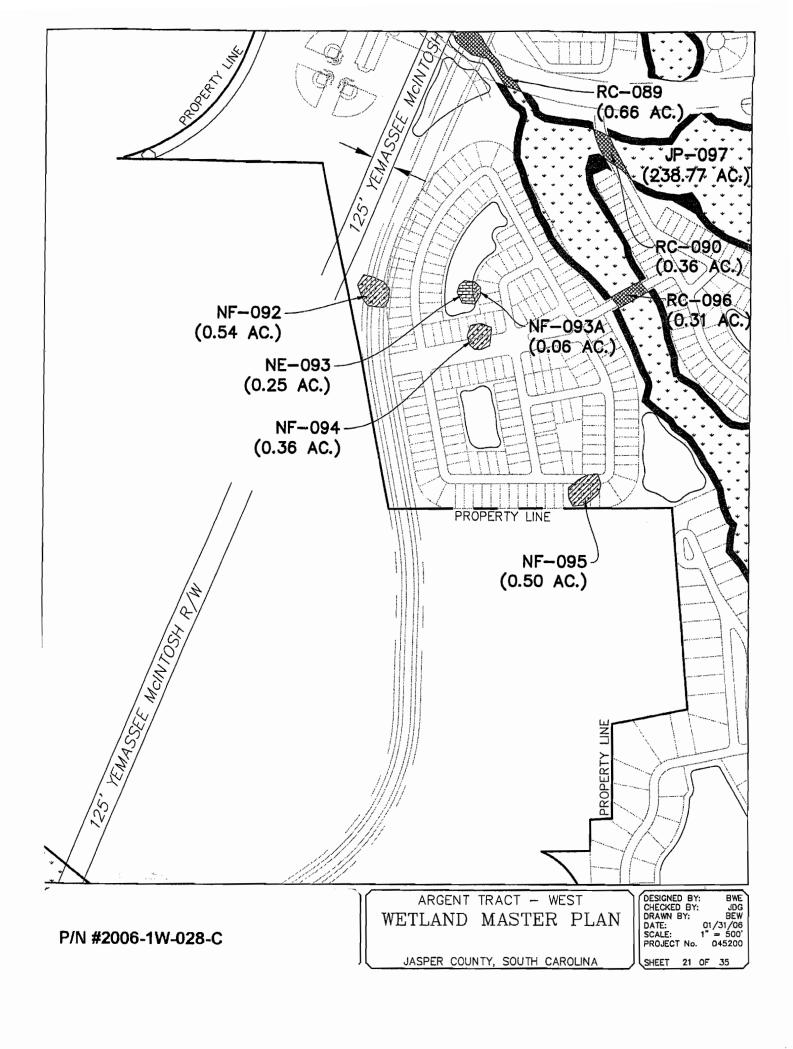


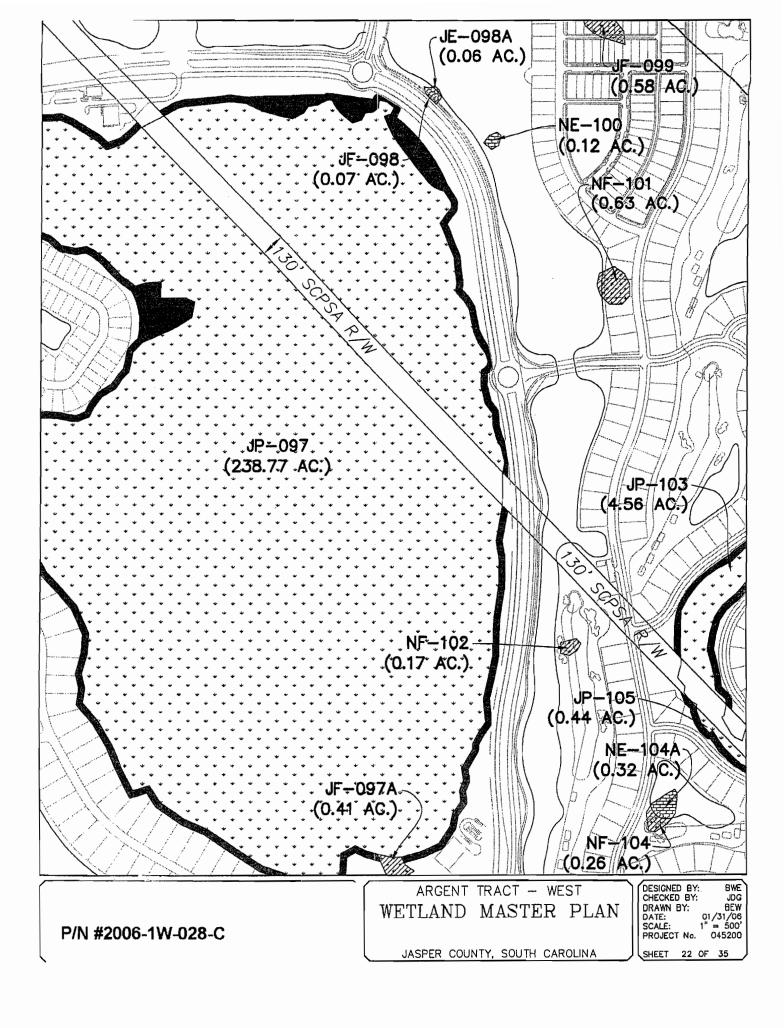


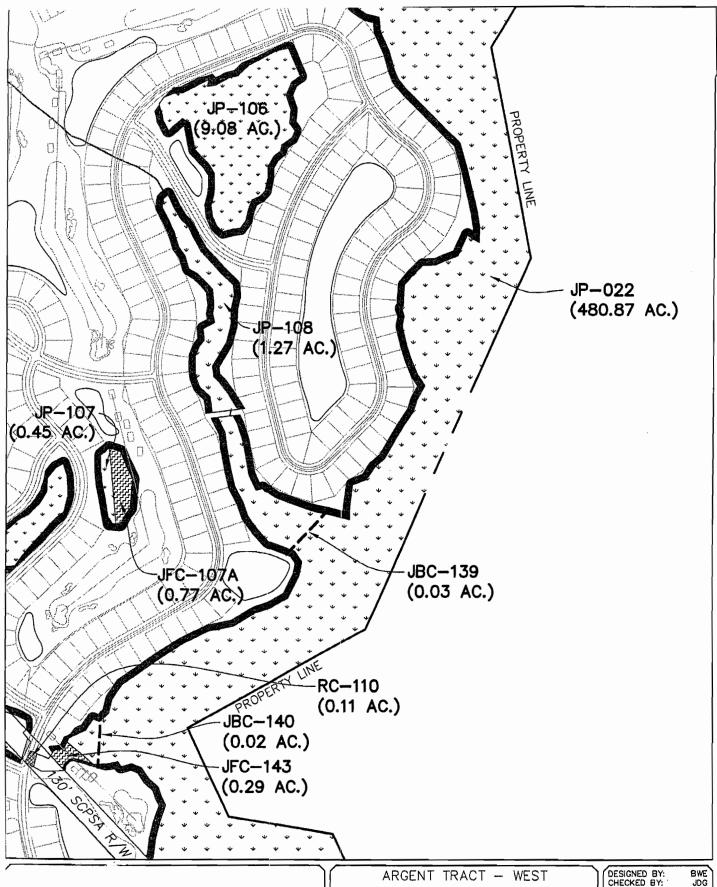




JASPER COUNTY, SOUTH CAROLINA





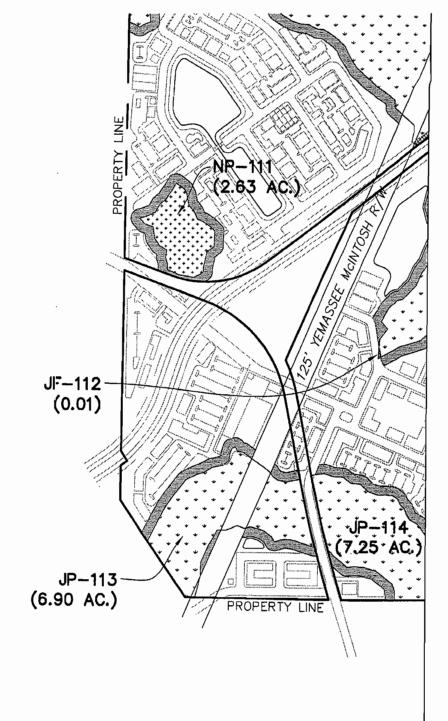


WETLAND MASTER PLAN

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE CHECKED BY: JDG DRAWN BY: BEW DATE: 01/31/06 SCALE: 1\* = 500' PROJECT No. 045200

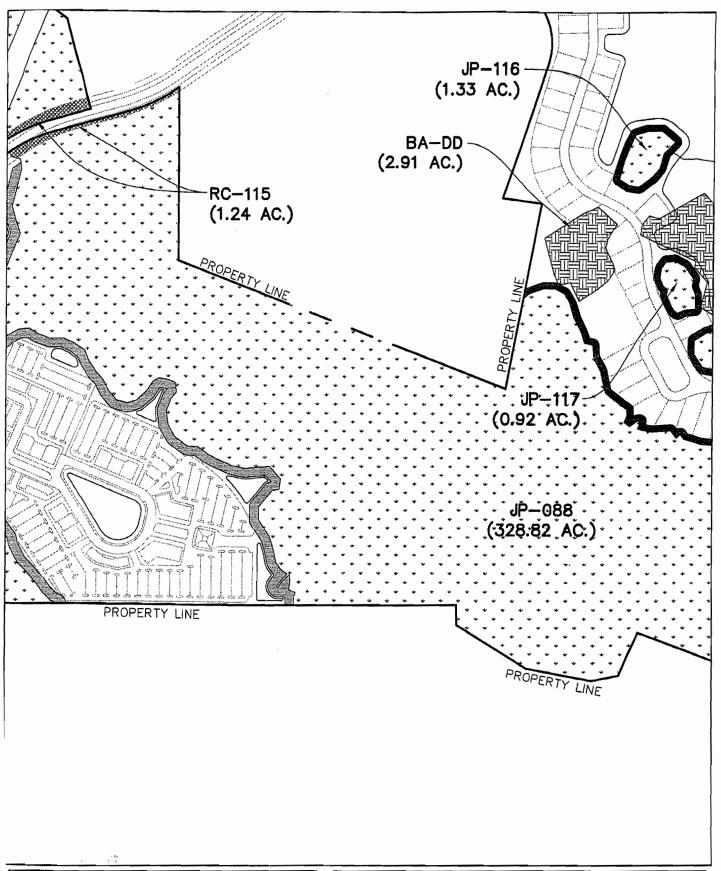
SHEET 23 OF 35



ARGENT TRACT - WEST
WETLAND MASTER PLAN

JASPER COUNTY, SOUTH CAROLINA

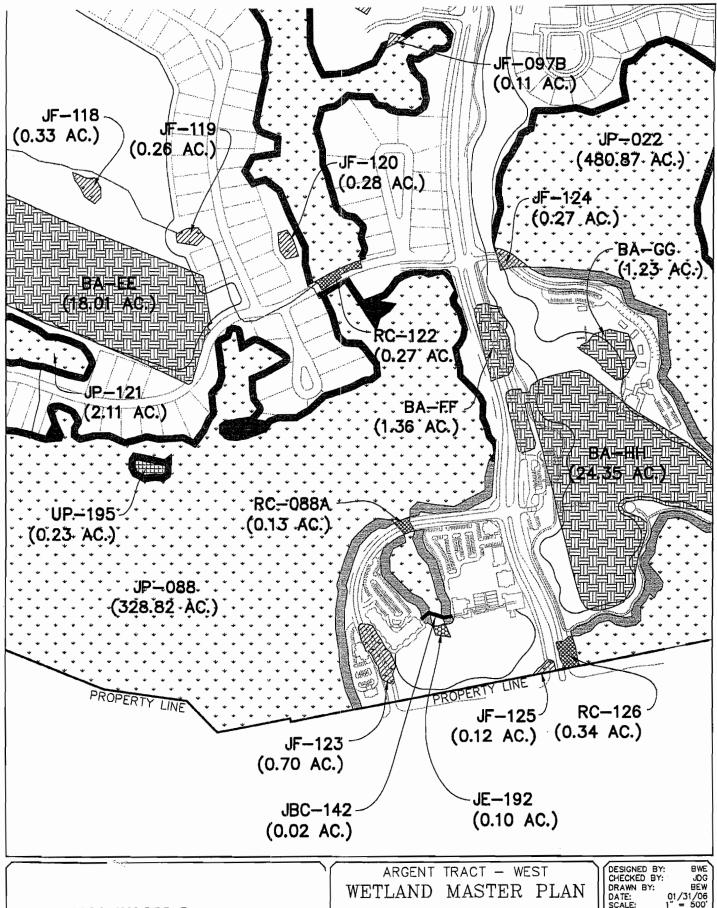
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CHECKED BY: JOG
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DATE: 01/31/06
SCALE: 1" = 500'
PROJECT No. 045200



ARGENT TRACT - WEST
WETLAND MASTER PLAN

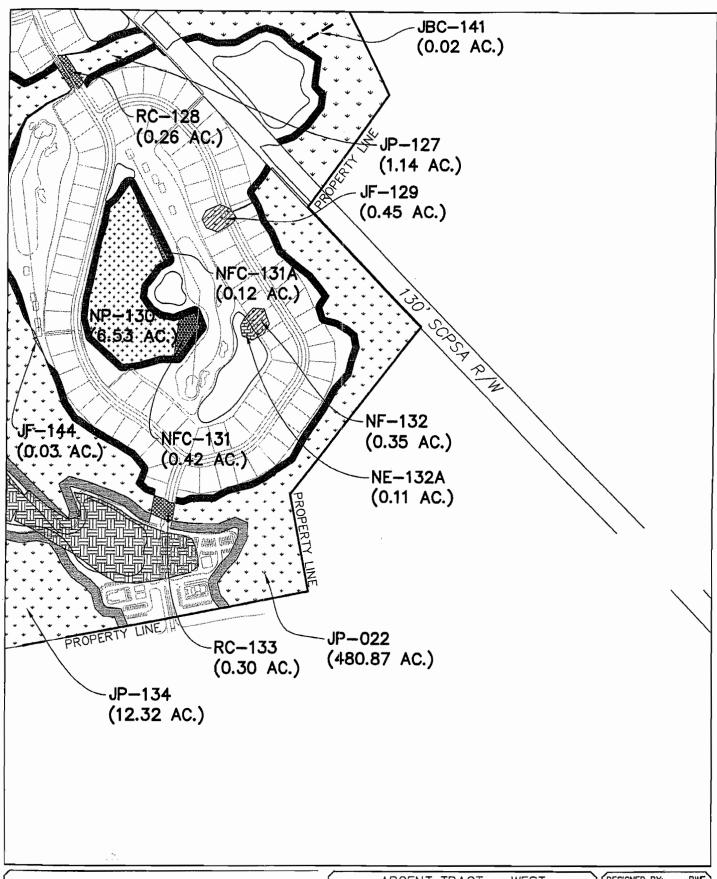
JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE
CHECKED BY: JDG
DRAWN BY: BEW
DATE: 01/31/06
SCALE: 1" = 500'
PROJECT No. 045200
SHEET 25 OF 35



JASPER COUNTY, SOUTH CAROLINA

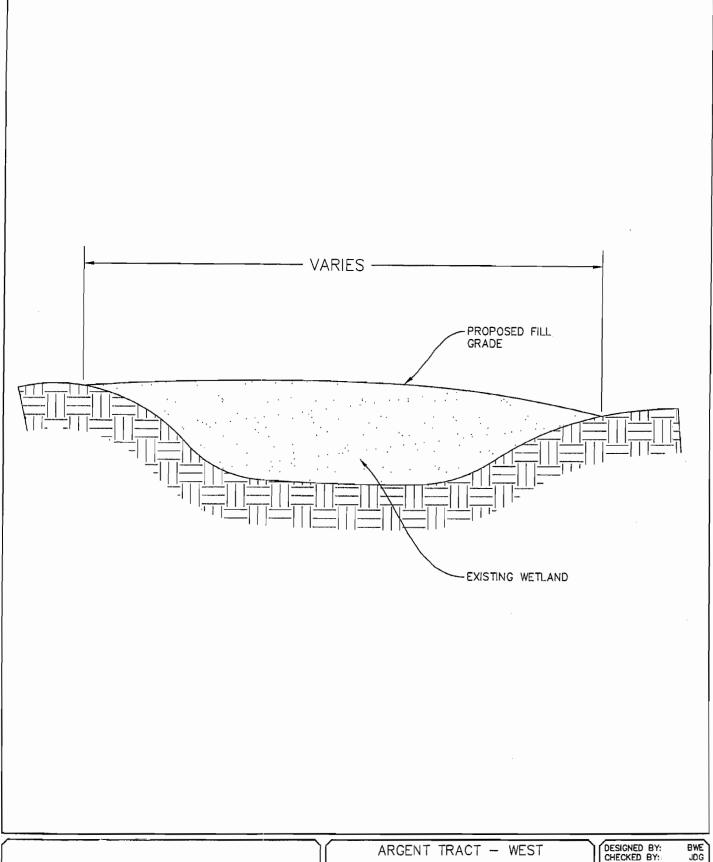
| DESIGNED BY: BWE | CHECKED BY: JDG | DRAWN BY: BEW | DATE: 01/31/06 | SCALE: 1" = 500' | PROJECT No. 045200



ARGENT TRACT - WEST
WETLAND MASTER PLAN

JASPER COUNTY, SOUTH CAROLINA

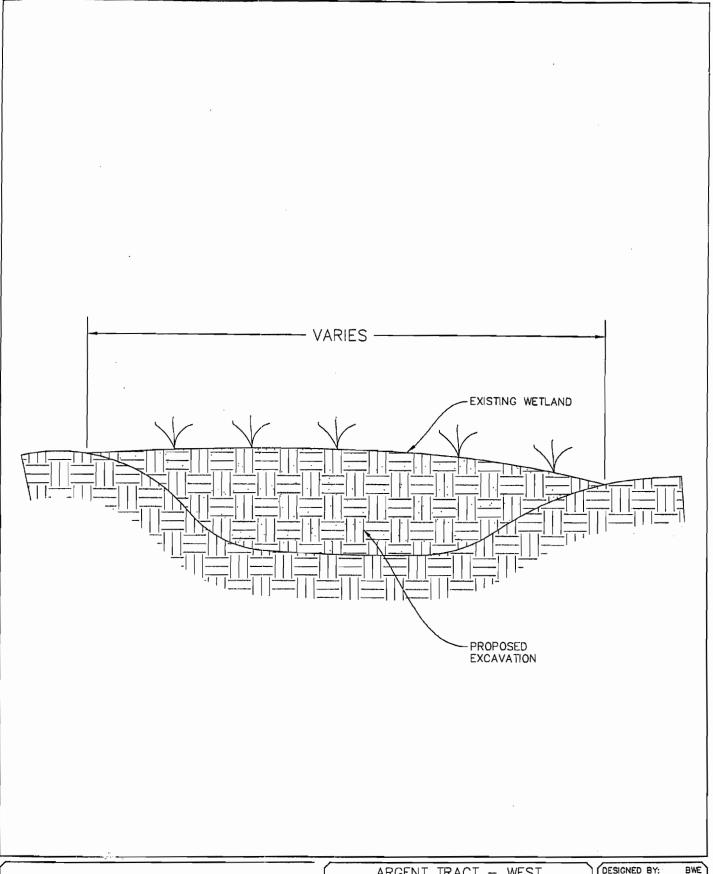
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CHECKED BY: JDG
DRAWN BY: J00
DATE: 01/31/06
SCALE: 1" = 500'
PROJECT No. 045200
SHEET 27 OF 35



ARGENT TRACT - WEST
TYPICAL WETLAND FILL

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE
CHECKED BY: JDG
DRAWN BY: BEW
DATE: 01/31/06
SCALE: NTS
PROJECT No. 045200
SHEET 28 OF 35

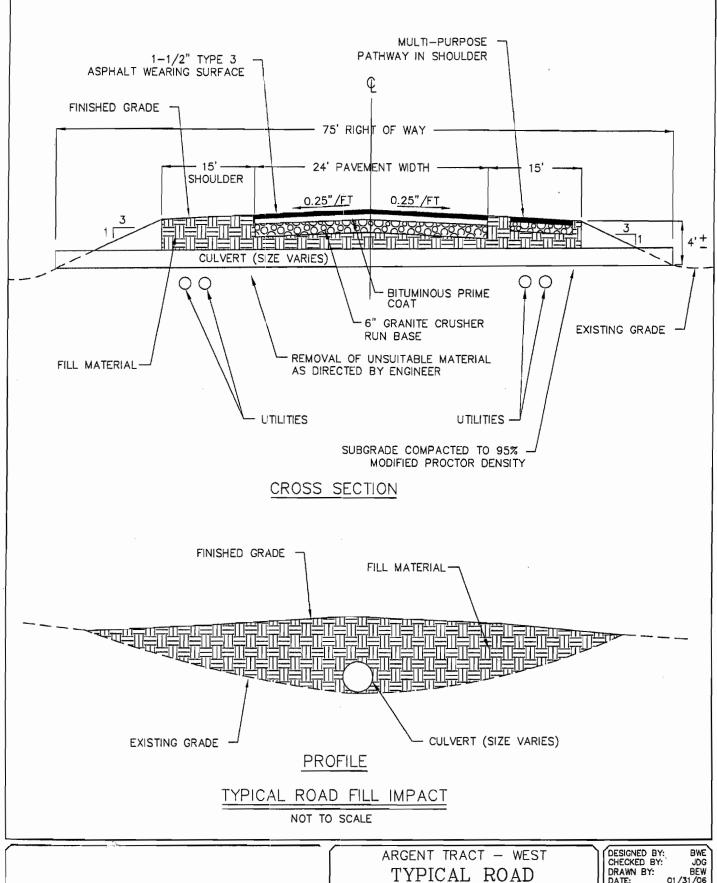


ARGENT TRACT - WEST
TYPICAL WETLAND
EXCAVATION

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE
CHECKED BY: JDG
DRAWN BY: BEW
DATE: 01/31/06
SCALE: NTS
PROJECT No. 045200

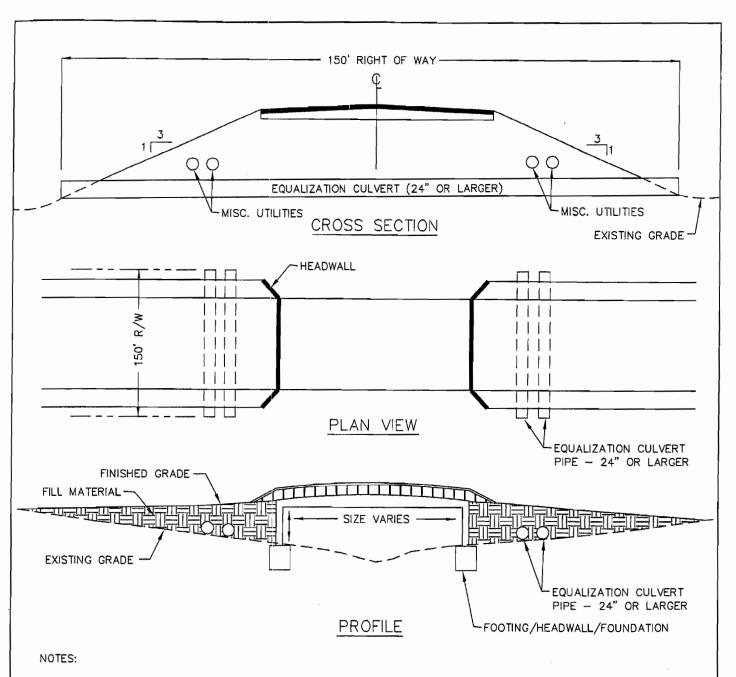
SHEET 29 OF 35



CROSSINGS

JASPER COUNTY, SOUTH CAROLINA

BWE JDG BEW 01/31/06 NTS DATE: SCALE: PROJECT No. SHEET 30 OF 35



- 1. ALL WETLAND CROSSINGS (BRIDGE AND/OR CULVERT CROSSINGS) WILL BE SIZED SO AS NOT TO CONSTRICT OR IMPEDE THE MOVEMENT OF AQUATIC ORGANISMS.
- 2. BRIDGE LENGTHS, WIDTHS AND OPENINGS WILL BE DETERMINED DURING THE DETAILED ENGINEERING DESIGN PROCESS.
- 3. BRIDGE CROSSINGS MAY INVOLVE THE USE OF "CON-SPAN" OR OTHER PRE-FABRICATED BRIDGING SYSTEMS TO MINIMIZE SITE DISTURBANCE.
- 4. EQUALIZATION PIPES/CULVERTS/STRUCTURES WILL BE USED ON BRIDGE CROSSING APPROACH CAUSEWAYS TO MAINTAIN SHEET FLOW THROUGH THE ADJACENT WETLAND SYSTEMS.

TYPICAL BRIDGE

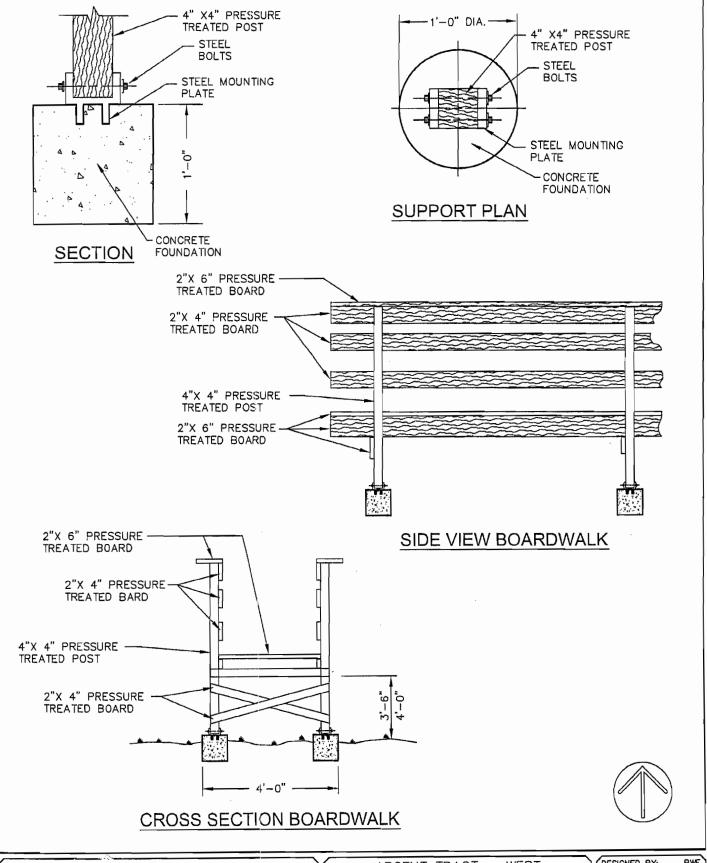
NOT TO SCALE

P/N #2006-1W-028-C

ARGENT TRACT - WEST TYPICAL BRIDGE CROSSINGS

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE CHECKED BY: JOG DRAWN BY: BEW DATE: 01/31/06 SCALE: NTS PROJECT No. 045200 SHEET 31 OF 35



ARGENT TRACT - WEST
TYPICAL BOARDWALK
CROSSINGS

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE CHECKED BY: JDG DRAWN BY: BEW DATE: 01/31/06 SCALE: NTS PROJECT No. 045200 SHEET 32 OF 35

#### NON-JURISDICTIONAL FILL **IMPACTED** WETLAND NUMBER ACREAGE NF-003 0.32 NF-008 0.22 NF-012 0.34 NF-016 0.48 NF-018 0.40 NF-19A 0.07 NF-020 0.28 NF-21A 0.01 NF-031A 0.13 NF-032 0.56 NF-033 0.35 NF-036 0.89 NF-037 0.54 NF-038 0.680.08 NF-045B NF-046A 0.12 0.94 NF-047 NF-062 0.23 NF-070 0.37NF-071 1.48 NF-072 0.32 NF-073 0.47 NF-074 0.23 NF-077 2.04 0.27 NF-079 0.54 NF-092 NF-093A 0.06 NF-095 0.50 NF-101 0.63NF-102 0.17 NF-104 0.26

TOTAL NON-JURISDICTIONAL WETLANDS FILLED: 14.33

0.35

NF-132

# NON-JURISDICTIONAL **EXCAVATION**

WETLAND NUMBER	IMPACTED ACREAGE
NE-024	0.09
NE-033A	0.49
NE-077A	0.46
NE-093	0.25
NE-100	0.12
NE-104A	0.32
NE-132A	0.11

TOTAL NON-JURISDICTIONAL

## NON-JURISDICTIONAL FAIRWAY CLEARING

WETLAND NUMBER	IMPACTED ACREAGE
NFC-131	0.42
NFC-131A	0.12

TOTAL NON-JURISDICTIONAL FAIRWAY CLEARING: 0.54

#### NON-JURISDICTIONAL PRESERVED WETLANDS

WETLAND	PRESERVED
NUMBER	ACREAGE
NP-009	0.52
NP-017	1.07
NP-019	1.06
NP-021	2.69
NP-023	0.19
NP-025	4.04
NP-026	0.12
NP-027	2.25
NP-028	3.83
NP-031	0.89
NP-045	12.96
NP-046	1.30
NP-048	0.40
NP-050	2.18
NP-084	0.36
NP-111	2.63
NP-130	6.53

TOTAL NON-JURISDICTIONAL WETLANDS PRESERVED: 43.02

#### NON-JURISDICTIONAL CAUSEWAY REMOVAL

CAUSEWAY NUMBER	ACREAGE	
NCR-029	0.31	
TOTAL NON-JURISDICTIONAL CAUSEWAY REMOVAL: 0.31		

WETLANDS EXCAVATED

ARGENT TRACT - WEST SUMMARY TABLES

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE CHECKED BY: JDG BEW 01/31/06 NTS DRAWN BY: DATE: SCALE: PROJECT No. 045200

SHEET 33 OF 35

P/N #2006-1W-028-C

404-JURISDICTIONA	L FILL
WETLAND	IMPACTED
NUMBER	ACREAGE
JF-010A	0.14
JF-011A	1.48
JF-013	0.04
JF-014	0.13
JF-015A	0.06
JF-040A	0.03
.IF-041A	1.21
JF-044	0.94
JF-058A	0.05
JF-059	0.27
JF-060	0.28
JF-061A	0.08
JF-063A	0.37
JF-064	0.42
JF-065	0.28
JF-068A	0.01
JF-069	0.57
JF-076	0.43
JF-078	0.30
JF-083	0.75
JF-085	0.23
JF-086	0.38
JF-097A	0.41
JF-097B	0.11
JF-098	0.07
JF-099	0.58
JF-112	0.01
JF-118	0.33
JF-119	0.26
JF-120	0.28
.IF-123	0.70
JF-124	0.27
JF-125	0.12
JF-129	0.45
JF- 144	0.03
TOTAL 404-JURISDICTIONAL	
WETLANDS FILLED:	12.07
44. W. T. C.	
404-JURISDICTION	AL
EXCAVATION	
WETLAND	IMPACTED
NUMBER	ACREAGE
NOMBER	ACICIAGE
1F 041	0.26
JE-041	0.36
JE-063	0.19
JE-066	0.10
JE-075	0.45
JE-098A	0.06
JE-192	0.10
TOTAL 404-JURISDICTIONAL	
WETLANDS EXCAVATED:	1.26

404-JURISDICTIONA	L	
FAIRWAY CLEARING		
WETLAND	IMPACTED	
NUMBER	ACREAGE	
JFC-081A	0.04	
JFC-082	0.05	
JFC-087A	0.61	
JFC-107A	0.77	
JFC-143	0.29	
TOTAL 404-JURISDICTIONAL		
FAIRWAY CLEARING:	1.76	
404-JURISDICTIONAL BOARDWALK CLEARING		
WETLAND	IMPACTED	
NUMBER	ACREAGE	
JBC-135	0.04	
JBC-136	0.03	
JBC-137	0.03	
JBC-138	0.03	
JBC-139	0.03	
JBC-140	0.02	
JBC-141	0.02	
JBC-142	0.02	
TOTAL 404-JURISDICTION BOARDWALK CLEARING:		
RITARIIWALK CIRARING	11 77	

404-JURISDICTIONAL ROAD CROSSING FILL	
CROSSING NUMBER	IMPACTED ACREAGE
RC-006 RC-030 RC-042 RC-043 RC-049 RC-053 RC-089 RC-090 RC-096 RC-110 RC-115 RC-122 RC-088A RC-126	3.01 2.22 0.32 0.45 0.47 0.21 0.66 0.36 0.31 0.11 1.24 0.27 0.13 0.34
RC-128 RC-133	0.30
TOTAL 404-JURISDICTIONAL ROAD CROSSING FILL: 10.66	

ARGENT TRACT - WEST SUMMARY TABLES

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE CHECKED BY: JDG DRAWN BY: BEW DATE: 01/31/06 SCALE: NTS PROJECT No. 045200

SHEET 34 OF 35

#### 404-JURISDICTIONAL PRESERVED WETLANDS

WETLAND	PRESERVED
NUMBER	ACREAGE
JP-001	1.22
JP-002	0.91
JP-005	236.64
JP-007	4.93
JP-010	1.13
JP-011	2.66
JP-015	76.00
JP-022	483.28
JP-039	1.79
JP-040	26.61
JP-055	3.95
JP-056	1.52
JP-061	3.95
JP-067	2.23
JP-068	9.39
JP-080	0.95
JP-081	1.36
JP-082A JP-087	0.33
JP-088	329.80
JP-097	239.47
JP-103 JP-105	4.56
JP-106	0.44 9.08
JP-107	0.45
JP-108	1.27
JP-113	6.90
JP-114	7.25
JP-116	1.33
JP-117	0.92
JP-121	2.11
JP-127	1.14
JP-134	12.32

TOTAL 404-JURISDICTIONAL WETLANDS PRESERVED: 1476.88

### UPLAND PRESERVATION

UPLAND	PRESERVED
NUMBER	ACREAGE
UP-193	0.25
UP-194	0.93
UP-195	0.23
TOTAL UPLANDS PRESERVED:	1.41

404-JURISDICTIONAL
RESTORATION

WETLAND	RESTORED
NUMBER	ACREAGE
JR-051	10.21
JR-052	37.33
JR-054	7.47

TOTAL 404-JURISDICTIONAL RESTORATION: 55.01

# 404-JURISDICTIONAL CAUSEWAY REMOVAL

CAUSEWAY NUMBER	ACREAGE
JCR-004	0.26
JCR-035	0.48
JCR-051A	0.55
JCR-057	0.17
JCR-190	0.09
JCR-191	0.04

TOTAL 404-JURISDICTIONAL
CAUSEWAY REMOVAL: 1.59

#### BORROW AREAS

DORROW AREAS	
BORROW AREA	ACREAGE
BA-AA BA-BB BA-CC BA-DD BA-EE BA-FF BA-GG BA-HH	0.05 0.64 1.23 2.91 18.01 1.36 1.23 24.35
TOTAL BORROW AREAS:	49.78

ARGENT TRACT - WEST SUMMARY TABLES

JASPER COUNTY, SOUTH CAROLINA

DESIGNED BY: BWE
CHECKED BY: JDG
DRAWN BY: BEW
DATE: 01/31/06
SCALE: NTS
PROJECT No. 045200

SHEET 35 OF 35